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المرجع	IOR/L/PS/12/2897
العنوان	مجموعة ١٧ / ٣٥ "العراق. العلاقات العراقية السعودية. ترسيم الحدود."
التاريخ/ التواريخ	٢٨ مايو ١٩٣٧ - ٥ أكتوبر ١٩٤٠ (ميلادي)
لغة الكتابة	الإنجليزية في اللاتينية
الحجم والشكل	ملف واحد (٥٣ ورقة)
المؤسسة المالكة	المكتبة البريطانية: أوراق خاصة وسجلات من مكتب الهند
حق النشر	<u>غير معروف</u>

حول هذا السجل

يحتوي الملف على أوراق تتعلق بشكل رئيسي باقتراح ترسيم الحدود بين العراق والمملكة العربية السعودية، بما في ذلك موضوع الطرف الغربي للحدود السعودية العراقية، عند نقطة تقاطع السعودية وال伊拉克 وإقليم شرق الأردن.

تتألف غالبية الأوراق من مراسلات بين الجهات التالية:

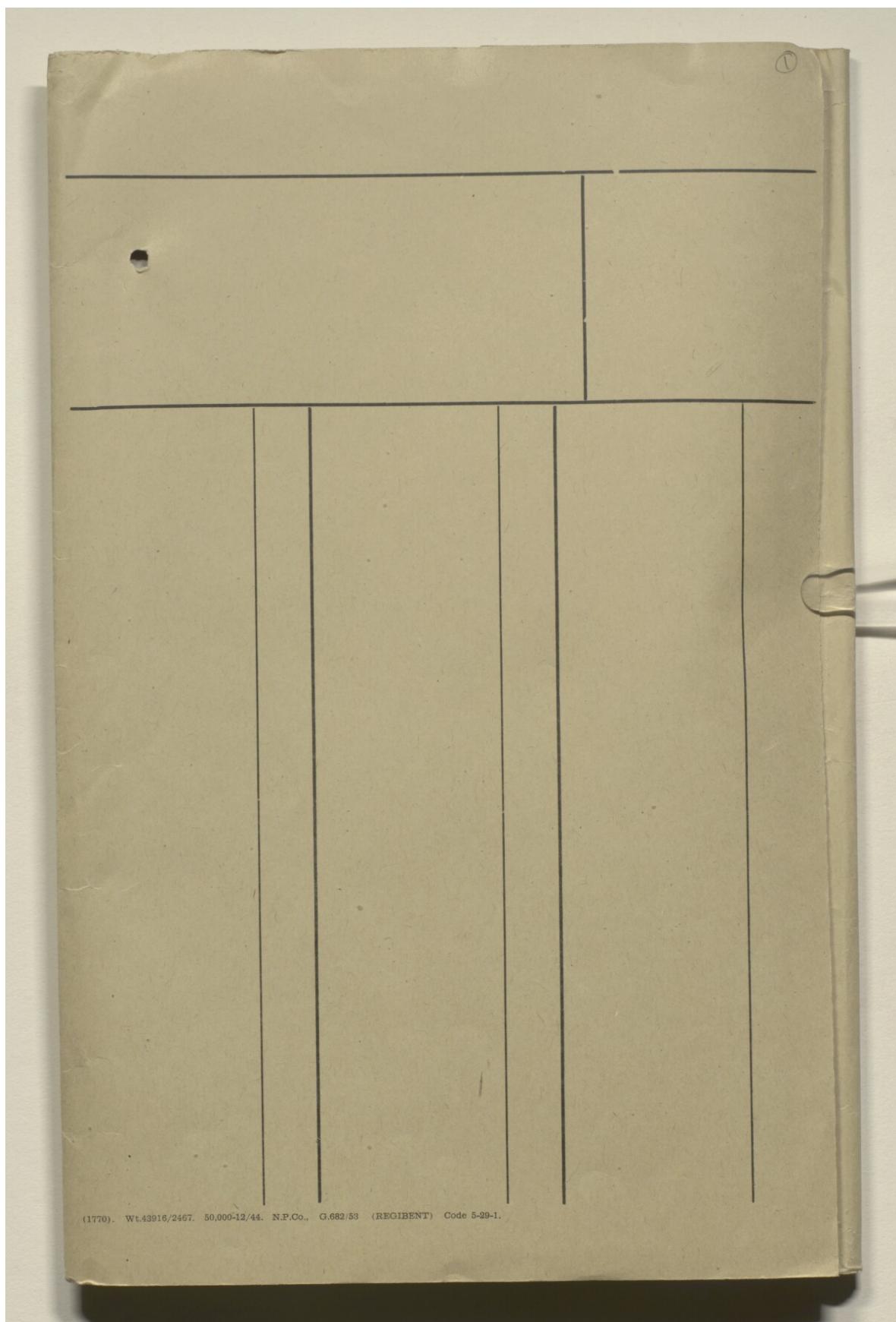
- السفير البريطاني في العراق (موريس بيترسون، السير بازل نيوتن)، ووزارة الخارجية (بما في ذلك وزير الدولة للشؤون الخارجية: فيكونت هاليفاكس، إدوارد فريديريك ليندلي وود).
- وزير الخارجية للمملكة العربية السعودية ووزير الخارجية للعراق.
- مكتب الهند ووزارة الخارجية.

يشتمل الملف أيضًا على مذكرة لوزارة الخارجية بعنوان "الحدود بين شرق الأردن ونجد، وشرق الأردن والحجاز"، والتي تتضمن خريطة (انظر IOR/L/PS/12/2897، ص. ٢٩).

يشتمل الملف على فاصل يتضمن قوائم بمراجع المراسلات الواردة به حسب السنة. ويوجد هذا الفاصل في نهاية المراسلات.

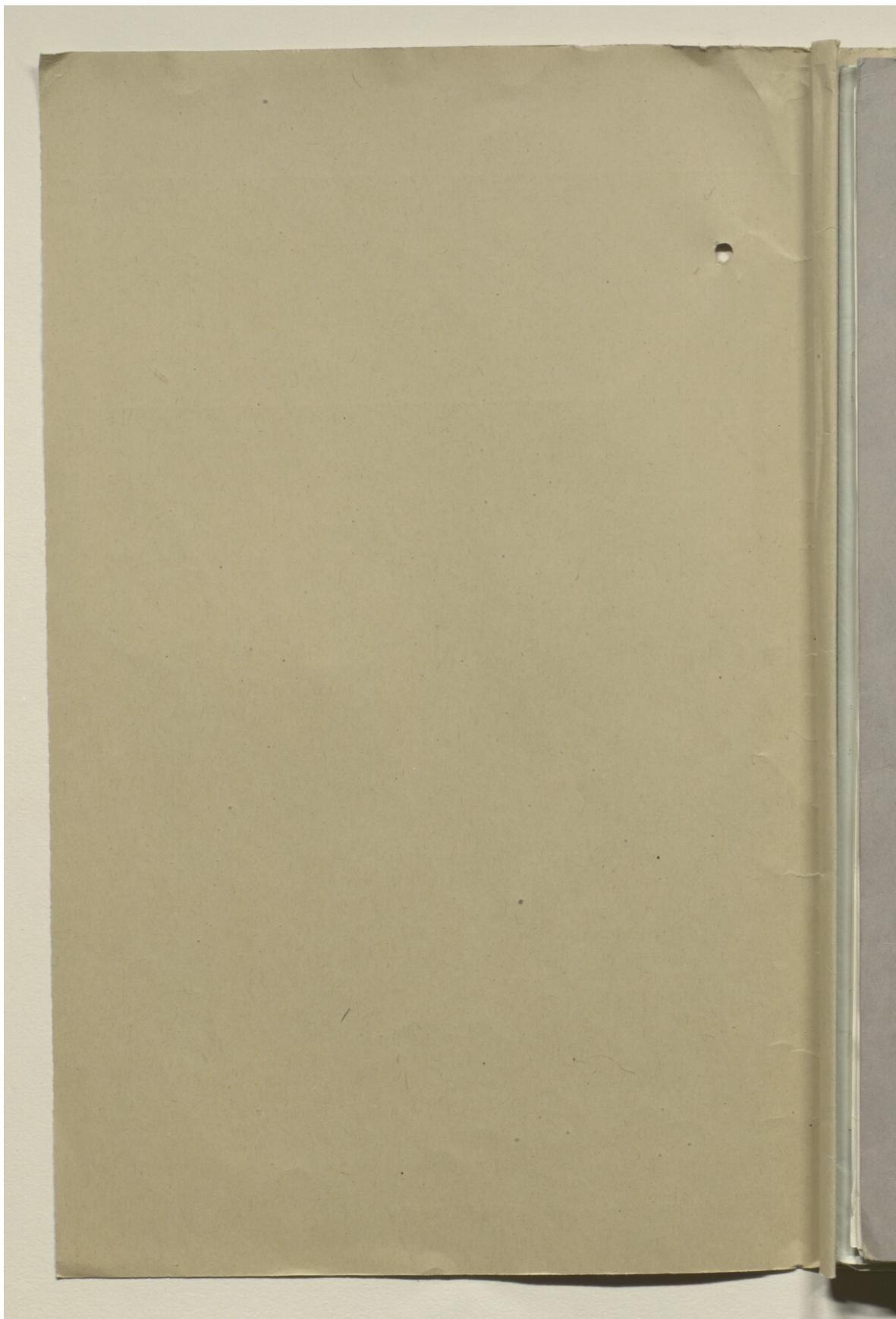


مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية، ترسيم الحدود."
[أمامي] (١١٢/١)





مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية، ترسيم الحدود."
[أمامي-داخلي] (١١٢/٢)





مجموعة ١٧ / ٣٥ "العراق. العلاقات العراقية السعودية. ترسيم الحدود." [٢٠]

(١١٢/٣)

Previous File :

No. 17

Next File :

File 35

POLITICAL (EXTERNAL) DEPARTMENT
COLLECTION

GENERAL HEADING

IRAQ
IRAQ - SAUDI RELATIONS.

SUB-HEAD

Demarcation of Frontiers 107: L/PS/12/2897

Notes : Coll 17/1 - Iraq - Saudi Relations; Bar協議 Agreement + Resolution

Treaty

This File contains the following papers :—

YEAR.

1937 . P.Z. 3530 . 1938 . P.Z. 3271 . 5075 . 586 . 1939 P.Z. 143993 . 4151 .

1940 . P.Z. 365 . 4822 . 4926 . 548 . 5231 .

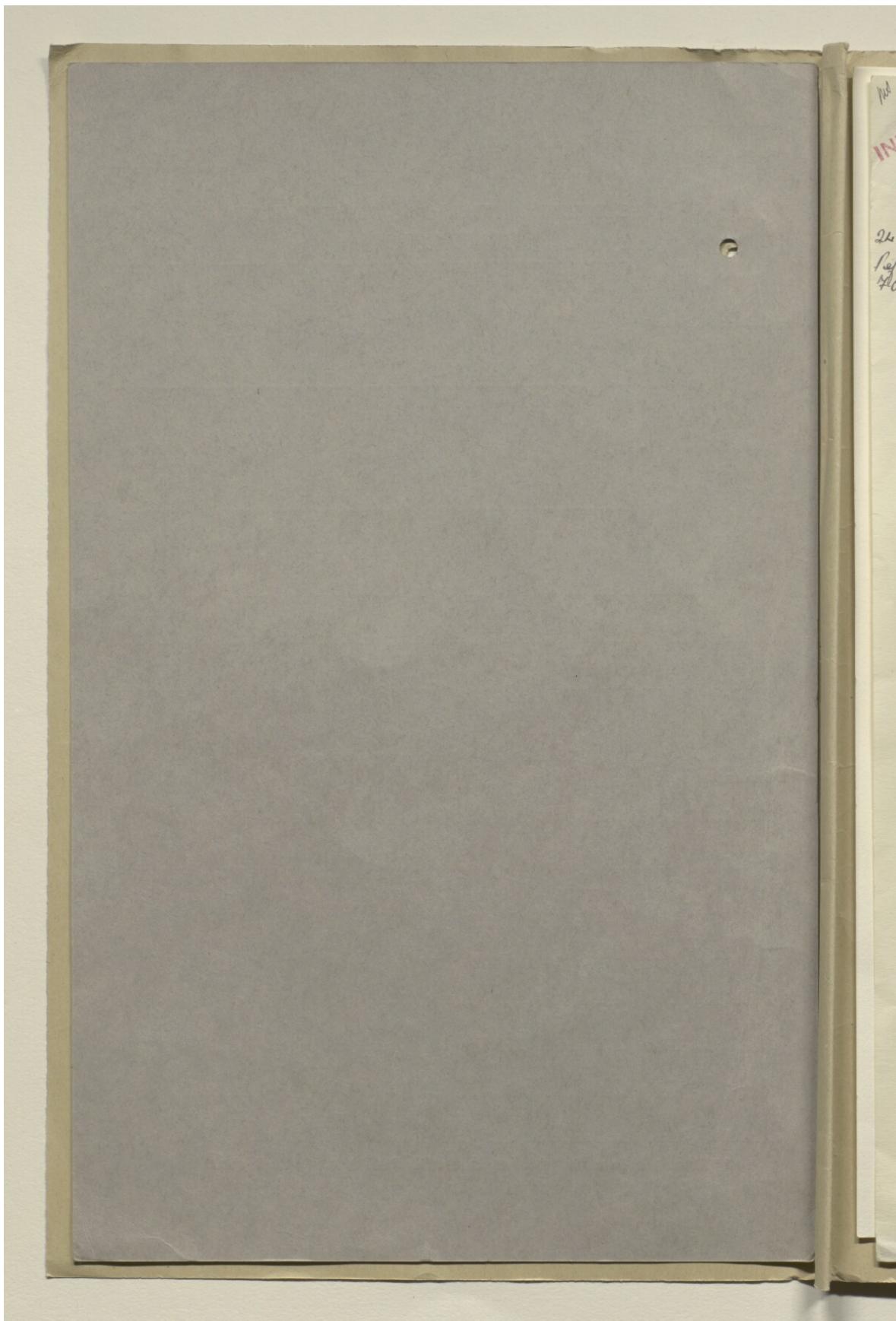
19 . P.Z.

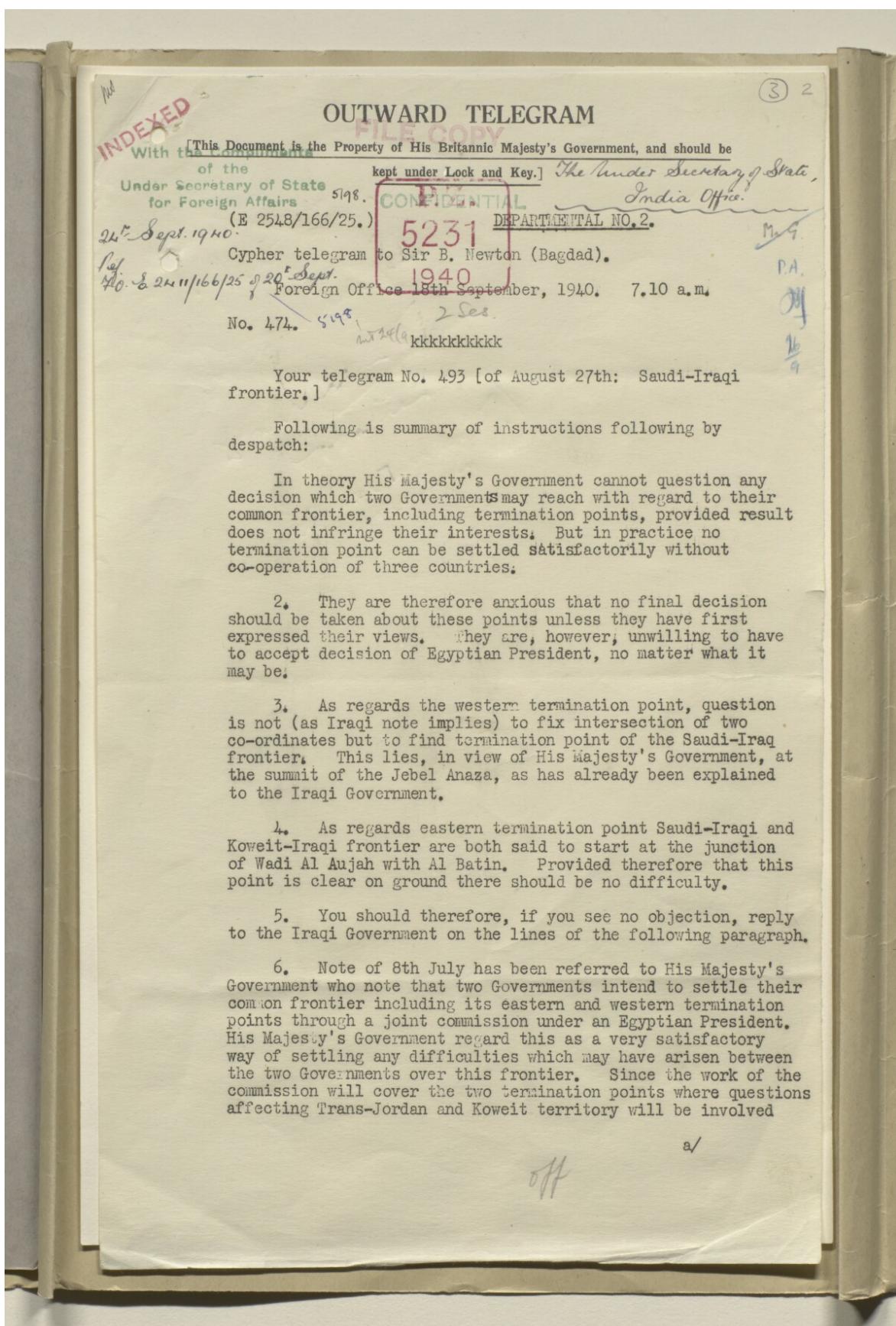
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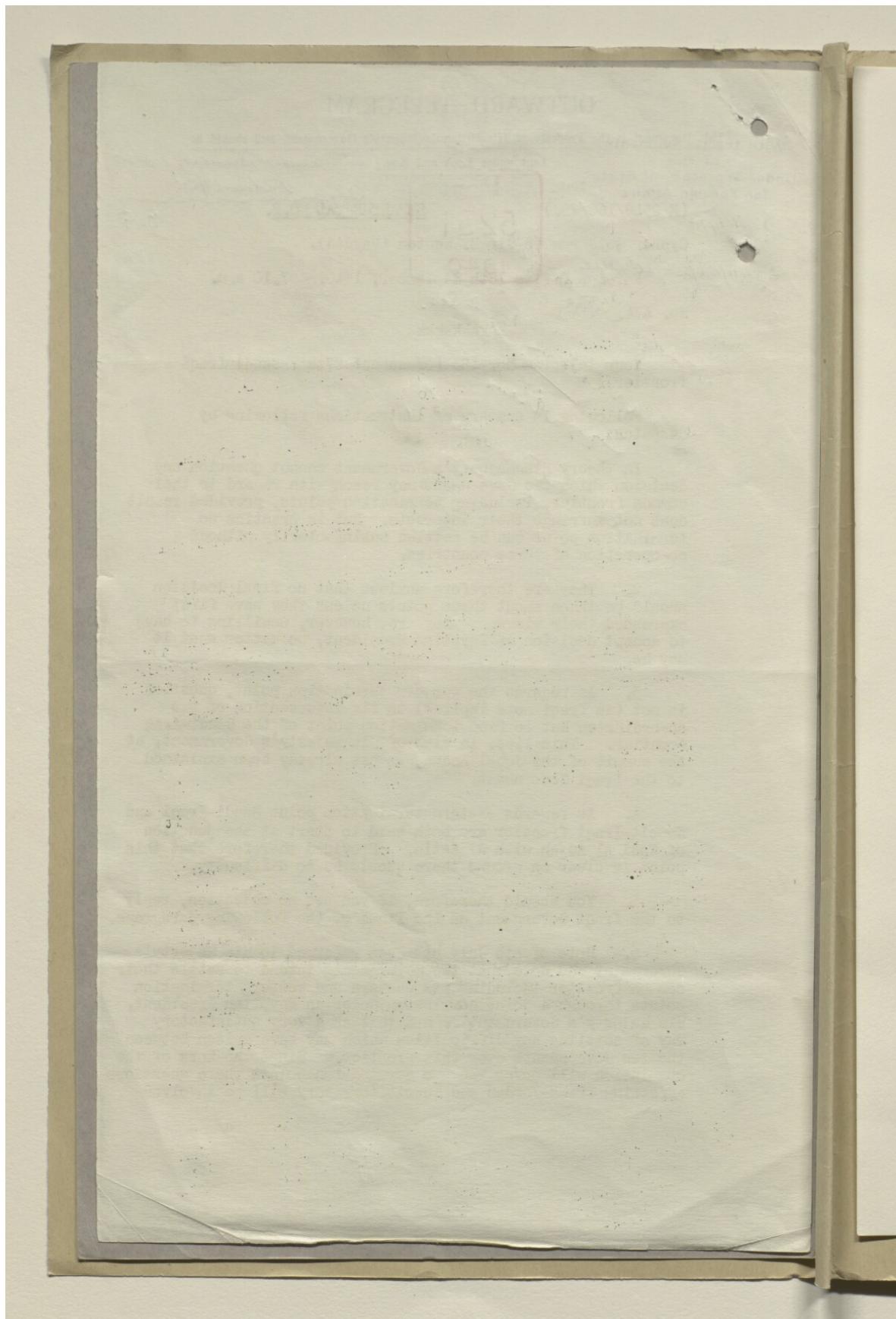
مجموعة ١٧ / ٣٥ "العراق. العلاقات العراقية السعودية. ترسيم الحدود." [٢٦]
(١١٢/٤)

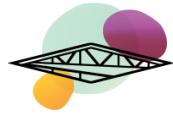




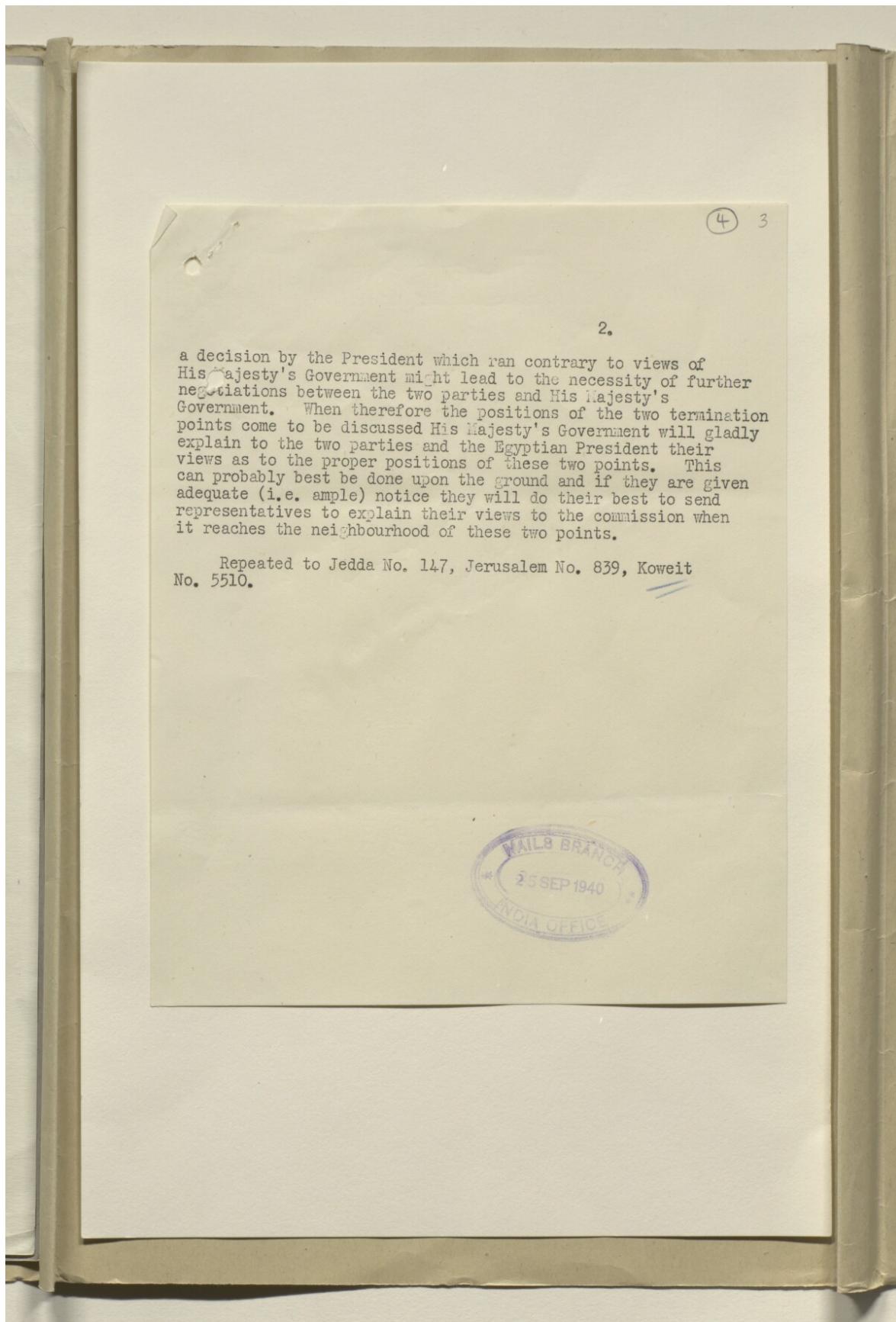


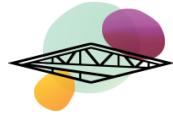
مجموعة ١٧ / ٣٥ "العراق. العلاقات العراقية السعودية. ترسيم الحدود." [٣٣] ظ
(١١٢/٦)



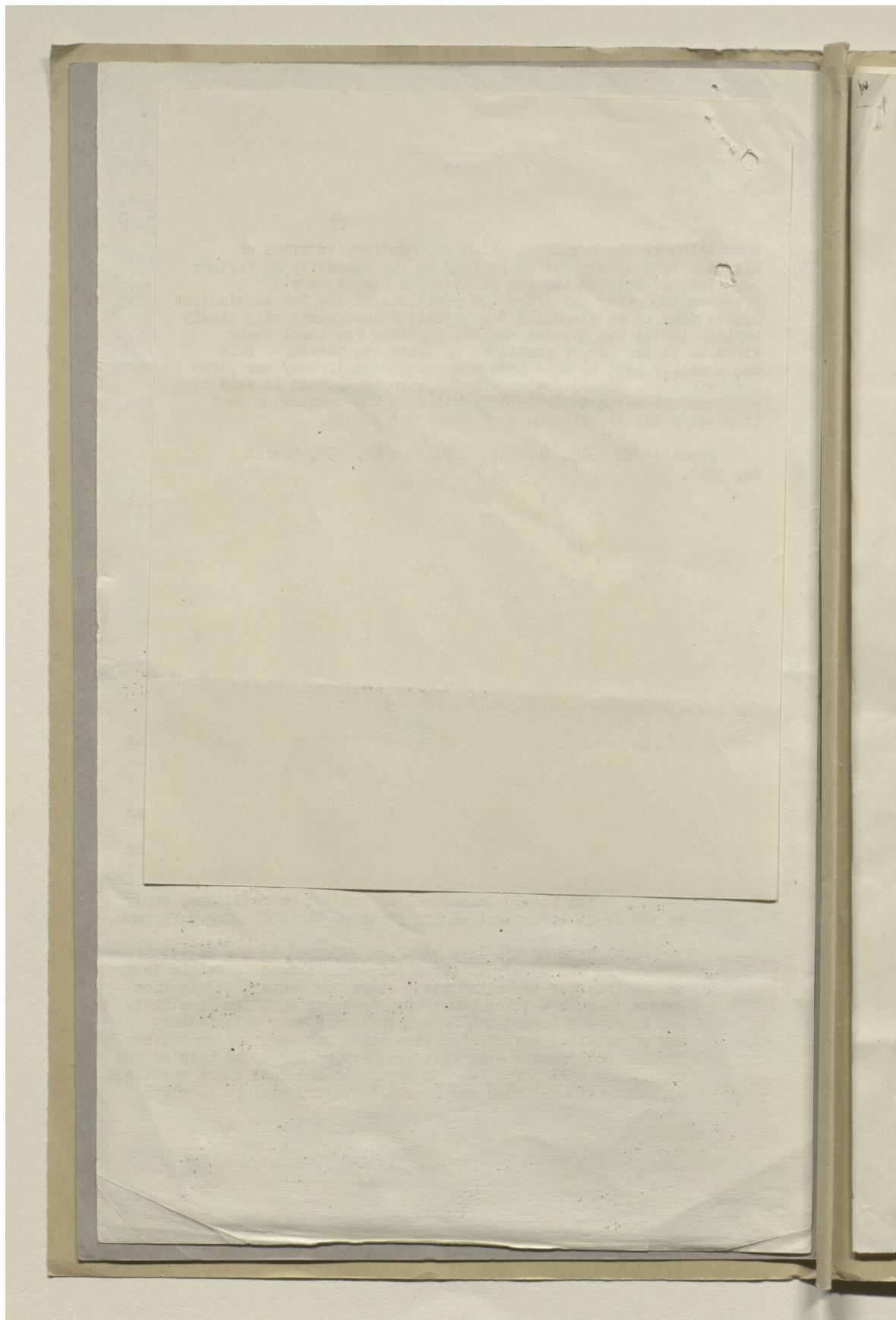


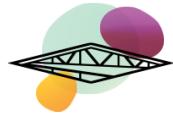
مجموعة ١٧ / ٣٥ "العراق. العلاقات العراقية السعودية. ترسيم الحدود." [٤٦] (١١٢/٧)





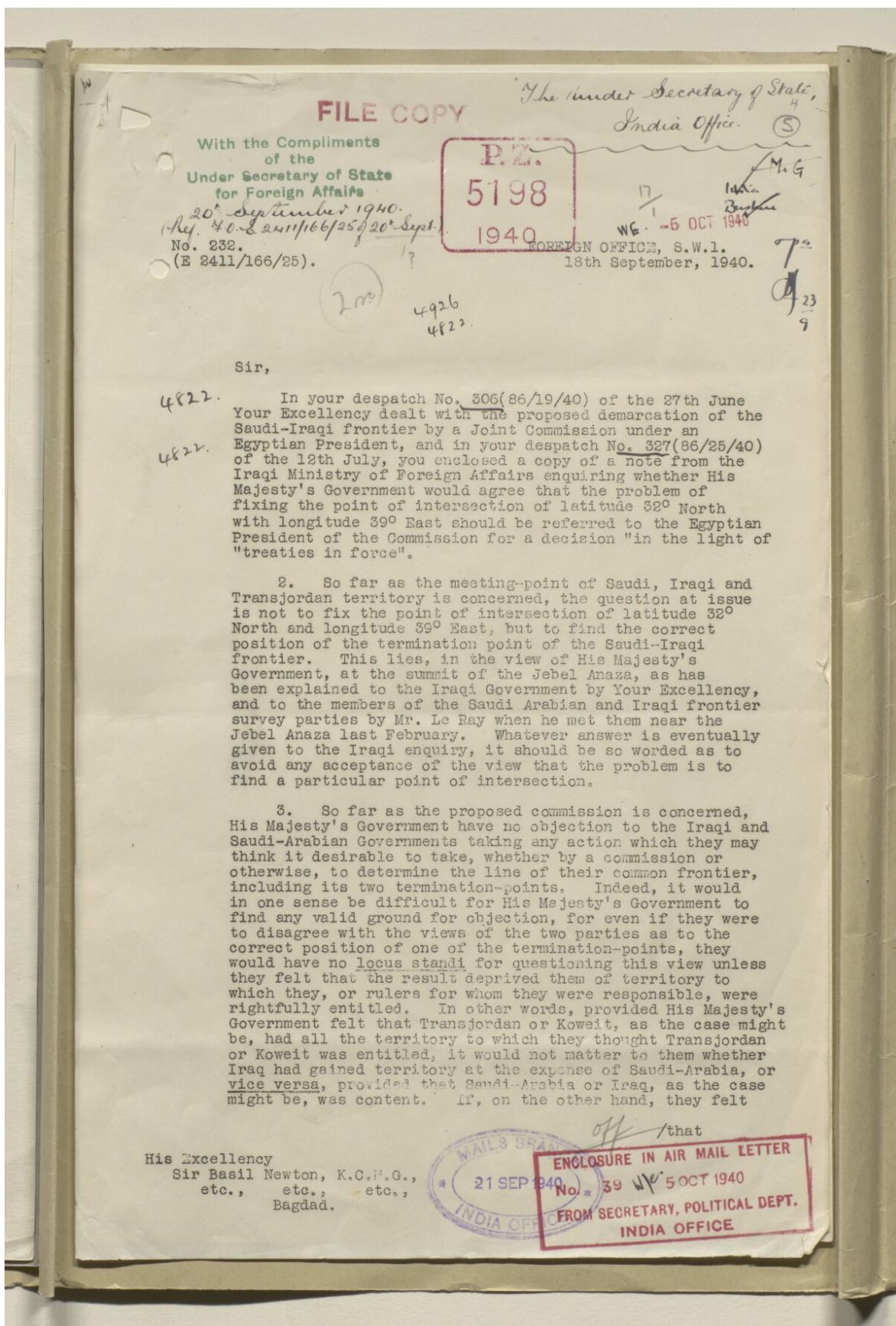
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(١١٢/٨)

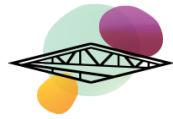




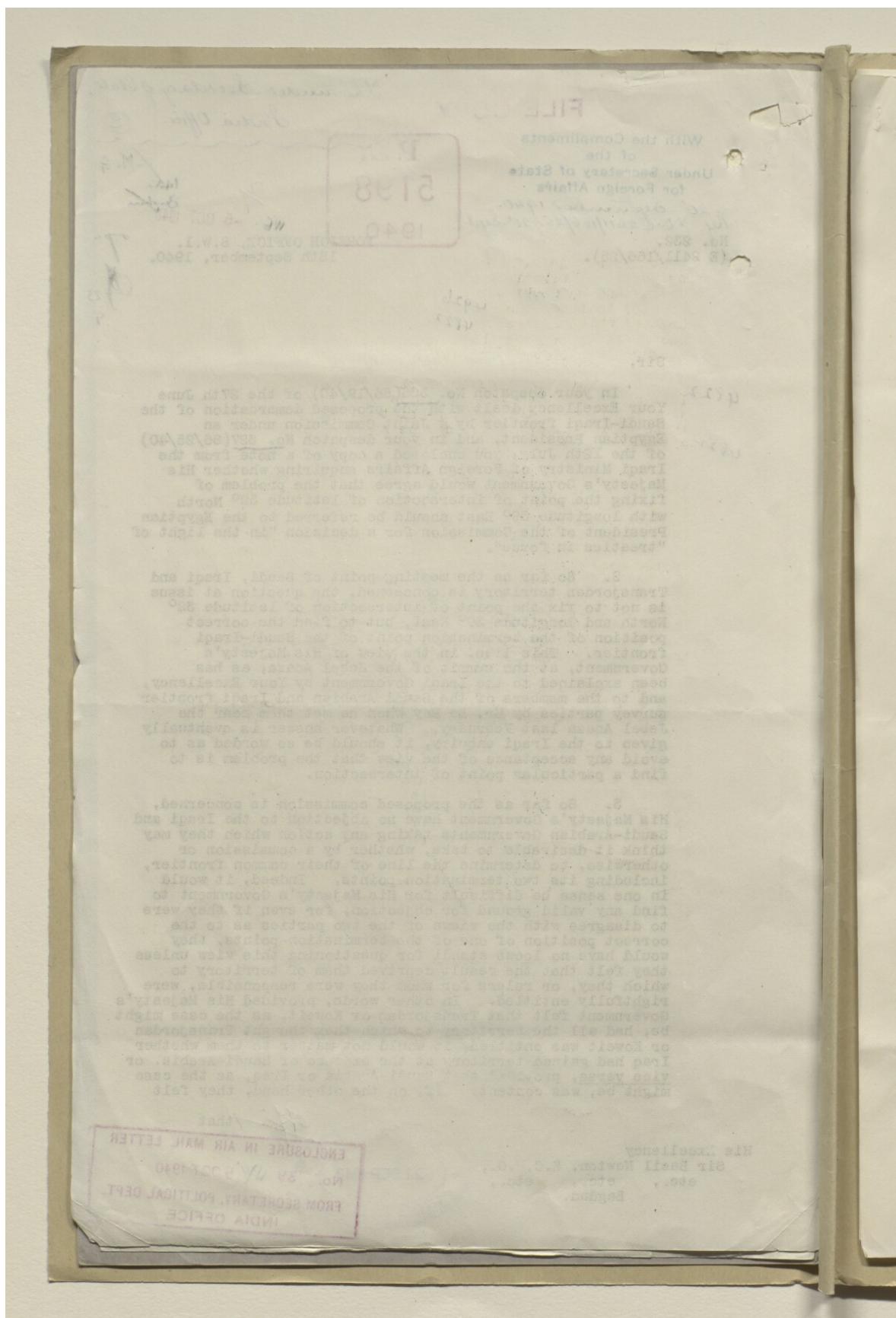
مجموعة ١٧ / ٣٥ "العراق. العلاقات العراقية السعودية. ترسيم الحدود." [٥٠]

(١١٢/٩)





مجموعة ١٧ / ٣٥ "العراق. العلاقات العراقية السعودية. ترسيم الحدود." [٥٥] (١١٢/١٠)





that the result, if accepted, would deprive Transjordan or Kuwait of territory which was rightfully theirs, they could, and no doubt would, take steps to bring their point of view to the notice of the State (or it might be both States) which claimed the territory in question and if necessary to enforce their counter-claim by whatever measures appeared appropriate.

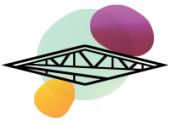
4. This is, however, a purely theoretical way of looking at the question and it is clear that in practice no point forming the meeting-point of the territory of three different countries can be settled satisfactorily without the co-operation of all three countries.

5. His Majesty's Government are therefore anxious that no final decision should be taken by Saudi-Arabia and Iraq, with or without Egyptian aid, about either of the termination-points of the Saudi-Iraqi frontier, unless they have first had an opportunity of expressing their views. At the same time, they are unwilling to place themselves in the position of being obliged to accept the decision of the Egyptian President, no matter what it may be. You should therefore avoid saying anything which might be taken to imply that His Majesty's Government would regard the President's decision as binding upon themselves. In that case, your reply might, if you see no objection, take the line suggested in the following paragraph:-

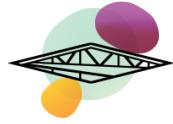
6. The Iraqi Government's note-verbale of the 8th July has been referred to His Majesty's Government, who note that it is the intention of the Iraqi and Saudi-Arabian Governments to settle the line of their common frontier, including its eastern and western termination points, through a Joint Commission under an Egyptian President. His Majesty's Government regard this as a very satisfactory way of settling any difficulties which may have arisen between the two governments over this frontier. Since the work of the commission will cover the two termination points, where questions affecting Transjordan and Kuwait territory will be involved, a decision by the President which ran contrary to the view of His Majesty's Government might lead to the necessity of further negotiations between the two parties and His Majesty's Government. When, therefore, the positions of the two termination-points come to be discussed, His Majesty's Government will gladly explain to the two parties and to the Egyptian President their views as to the proper positions of these two points. This can probably best be done upon the ground and if they are given adequate notice (which under war conditions must be taken to mean several weeks at least) they will do their best to send representatives to explain their views to the commission when it reaches the neighbourhood of these two points.

7. Although His Majesty's Government hope that they will be able by some such procedure as that outlined above to persuade all concerned to accept their view of the proper positions of the two termination-points of the Saudi-Iraqi frontier, it must be recognised that there is one point in regard to which special caution is needed. In spite of the general principle enunciated in paragraph 4

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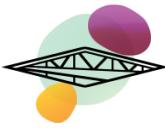
a particular difficulty confronts His Majesty's Government in claiming to have a voice in the settlement of the western termination-point of the Iraqi-Saudi frontier. This difficulty consists in the fact that although the wording of the Hadda Agreement of the 2nd November, 1925, is extremely ambiguous, His Majesty's Government take the view that under its provisions the frontier between Nejd (Saudi-Arabia) and Transjordan starts at the termination-point of the frontier between Nejd and Iraq laid down in Uqair Protocol No. 1 of the 2nd December, 1922, and not, if there is any difference between the two, at the intersection of latitude 32° North and longitude 39° East (see Foreign Office memorandum E 4690/277/25 of September, 1939, and especially Annex B). They take this view, both on the merits of the case as a matter of treaty interpretation and because it suits them to do so from the point of view of Transjordan's interests on other parts of the frontier. His Majesty's Government also take the view that there is a difference between the termination-point of the frontier between Nejd and Iraq and this point of intersection and that the termination-point should properly be fixed at the summit of the Jebel Anaza. Here, again, they take this view both on the merits of the case as a matter of treaty interpretation and because the acceptance of the "co-ordinates" interpretation for the Uqair Protocol would weaken their argument for rejecting it for the Hadda Agreement. But although His Majesty's Government may hold these views, it is strictly speaking not for them to say that the Saudi-Iraqi frontier should terminate at some particular point if the two parties themselves, as a result of arbitration or otherwise, and without infringing any frontier agreements which either of them may have with His Majesty's Government, decide that it should terminate somewhere else.

8. It cannot be said that either Saudi-Arabia or Iraq has a frontier agreement with His Majesty's Government which precludes them from placing the termination-point of the Saudi-Iraqi frontier wherever they think fit. The Anglo-Saudi agreement merely refers back, as already explained, to the Saudi-Iraqi agreement. The Anglo-Iraqi agreement about the frontier between Transjordan and Iraq (see the correspondence between the Prime Minister of Iraq and the Chief Minister of the Government of Transjordan of the 31st July and the 16th August, 1932: Print Volume "Further Correspondence Respecting Eastern Affairs: Part XXXI: Chapter V: No. 169) likewise merely states:-

"The frontier between Iraq and Transjordan
"starts in the south at the point of junction of
"the Iraq-Nejd frontier and the Transjordan-Nejd
"frontier and ends

9. This being so, no claim could strictly speaking be made on behalf of Transjordan under the principles enunciated in paragraph 3 even if the decision of the two parties had the effect of depriving Transjordan of territory which she might obtain on some other interpretation. As a matter of fact Transjordan would on this particular part of the frontier receive more territory if the termination-point of the Saudi-Iraqi frontier were fixed at, say, the

/intersection



(୧୧୨ / ୧୪)



مجموعة ١٧ / ٣٥ "العراق. العلاقات العراقية السعودية. ترسيم الحدود." [٨٠] (١١٢/١٥)

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intersection of latitude 32° North and longitude 39° East than if it were fixed at the summit of Jebel Anaza. His Majesty's Government are content even so to support the view which places it on the Jebel Anaza, for the reasons explained in the abovementioned memorandum. But it would be all the more difficult for them on this account to contest a decision which placed the termination-point at the intersection of the co-ordinates.

10. There is no need to admit the existence of this difficulty to either the Saudi-Arabian or the Iraqi Government, but care must be taken to avoid as far as possible the use of any line of argument which might lead to the difficulty being disclosed.

11. As regards the tri-junction point on the east, both the Saudi-Iraqi frontier and the Kuwait-Iraqi frontier are said to start at the junction of Wadi Al Aujah with Al Batin (see Uqair Protocol No. 1 of the 2nd December, 1922 and General Nuri-el-Said's letter of the 21st July, 1932, to Sir Francis Humphrys). Provided therefore that the point of junction is clear on the ground, there should be no difficulty in fixing the eastern extremity of the frontier.

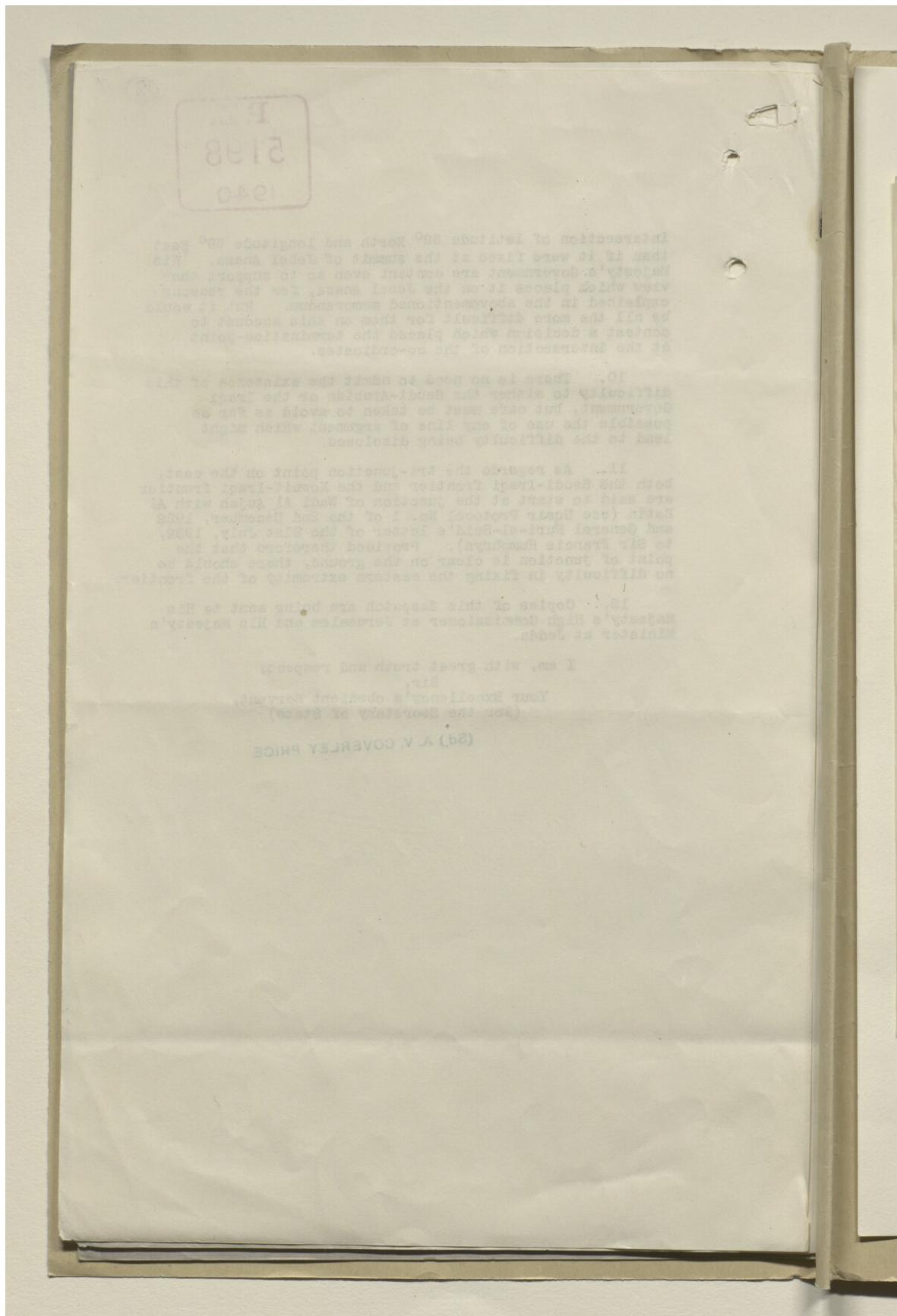
12. Copies of this despatch are being sent to His Majesty's High Commissioner at Jerusalem and His Majesty's Minister at Jeddah.

I am, with great truth and respect,
Sir,
Your Excellency's obedient Servant,
(For the Secretary of State)

(Sd.) A. V. COVERLEY PRICE



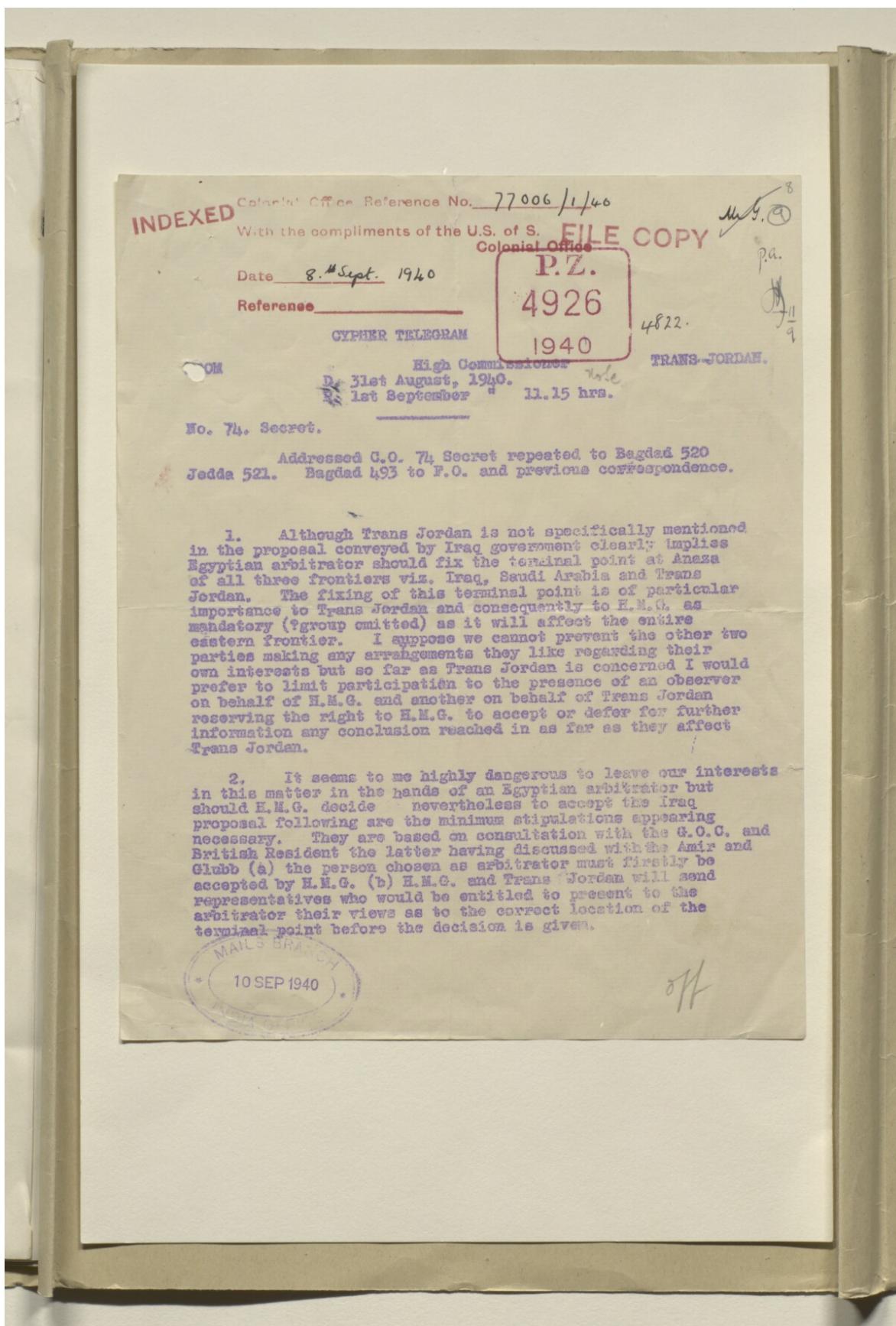
مجموعة ١٧ / ٣٥ "العراق. العلاقات العراقية السعودية. ترسيم الحدود." [٨٨] (١١٢/١٦)





مجموعة ١٧ / ٣٥ "العراق. العلاقات العراقية السعودية. ترسيم الحدود." [٩٦]

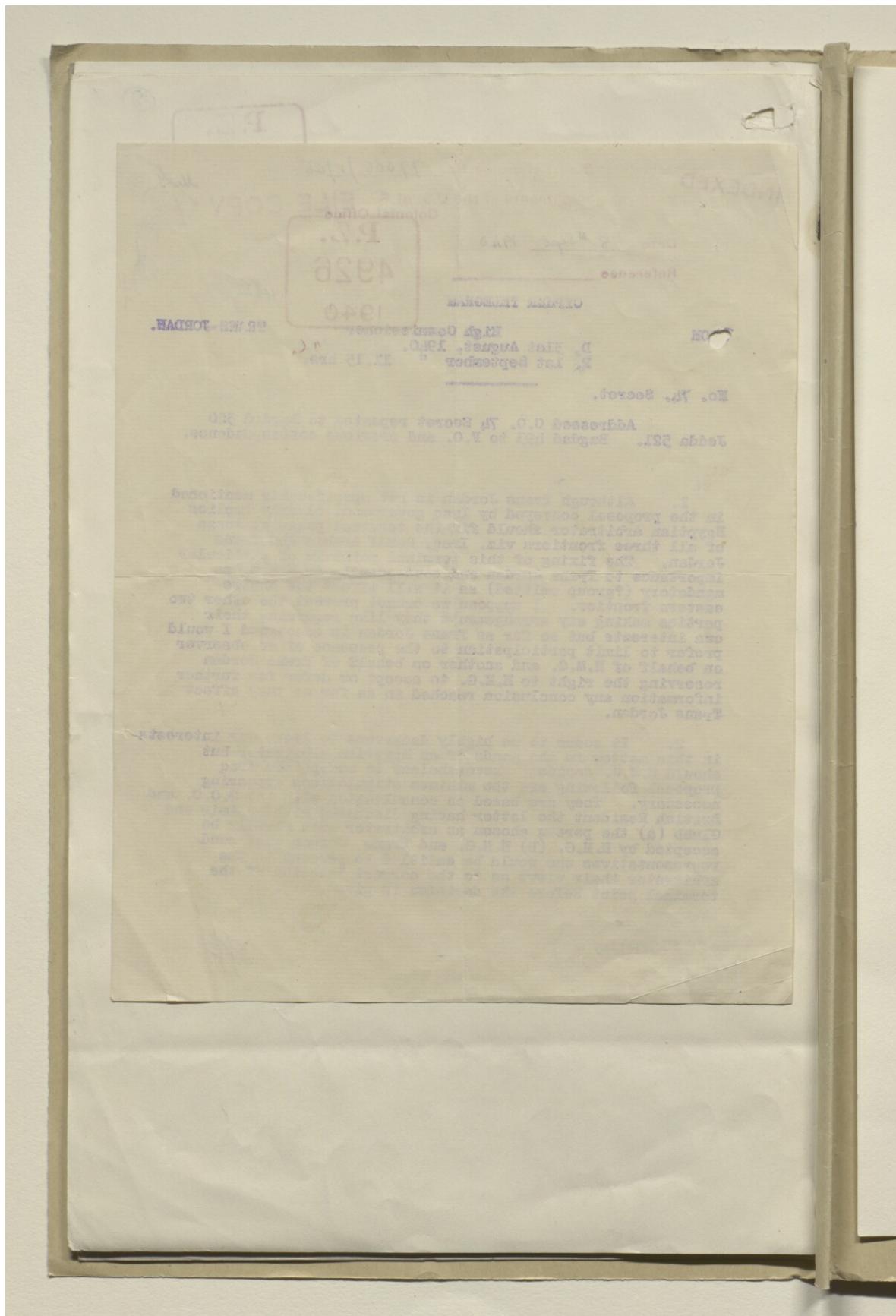
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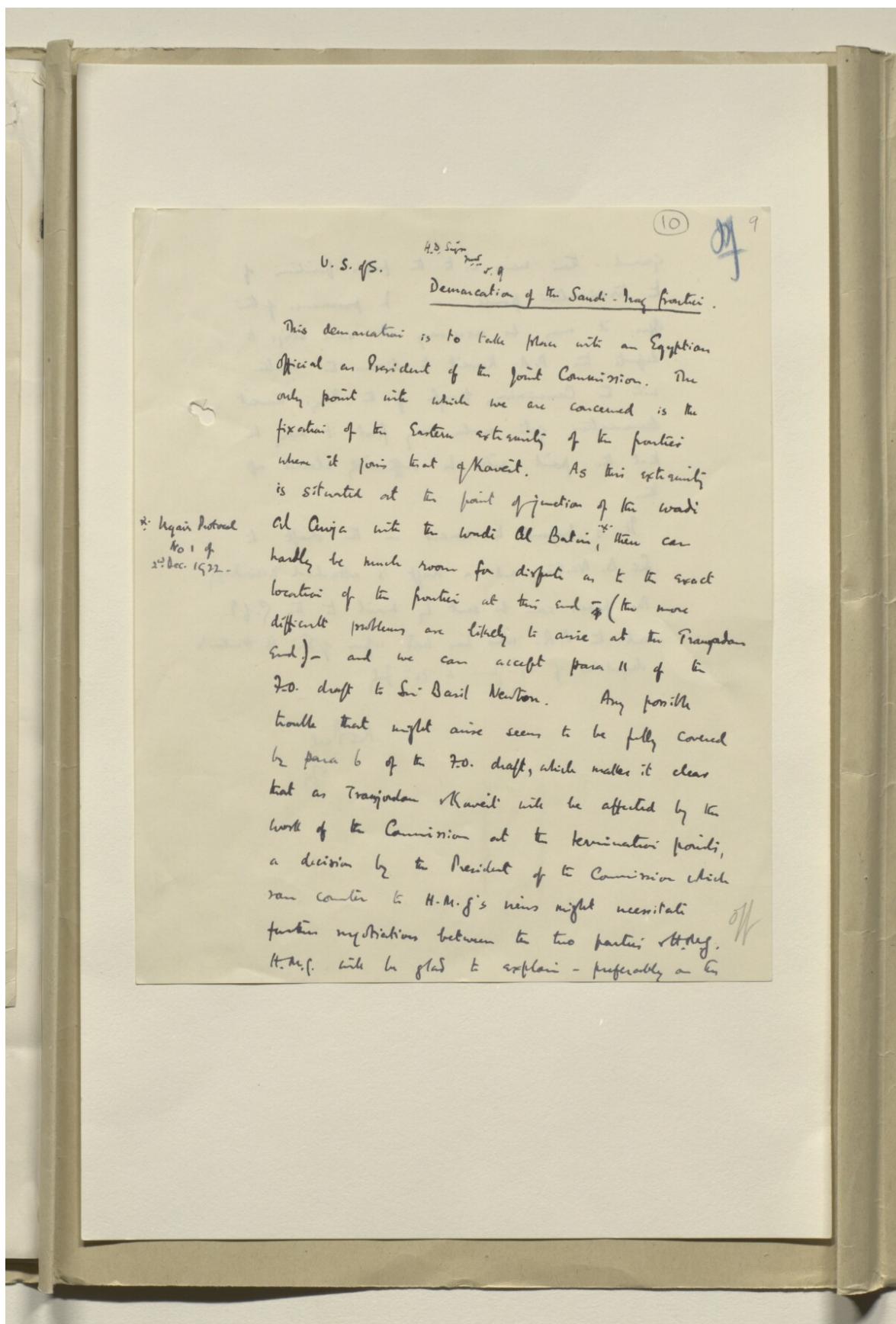
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(١١٢/١٨)



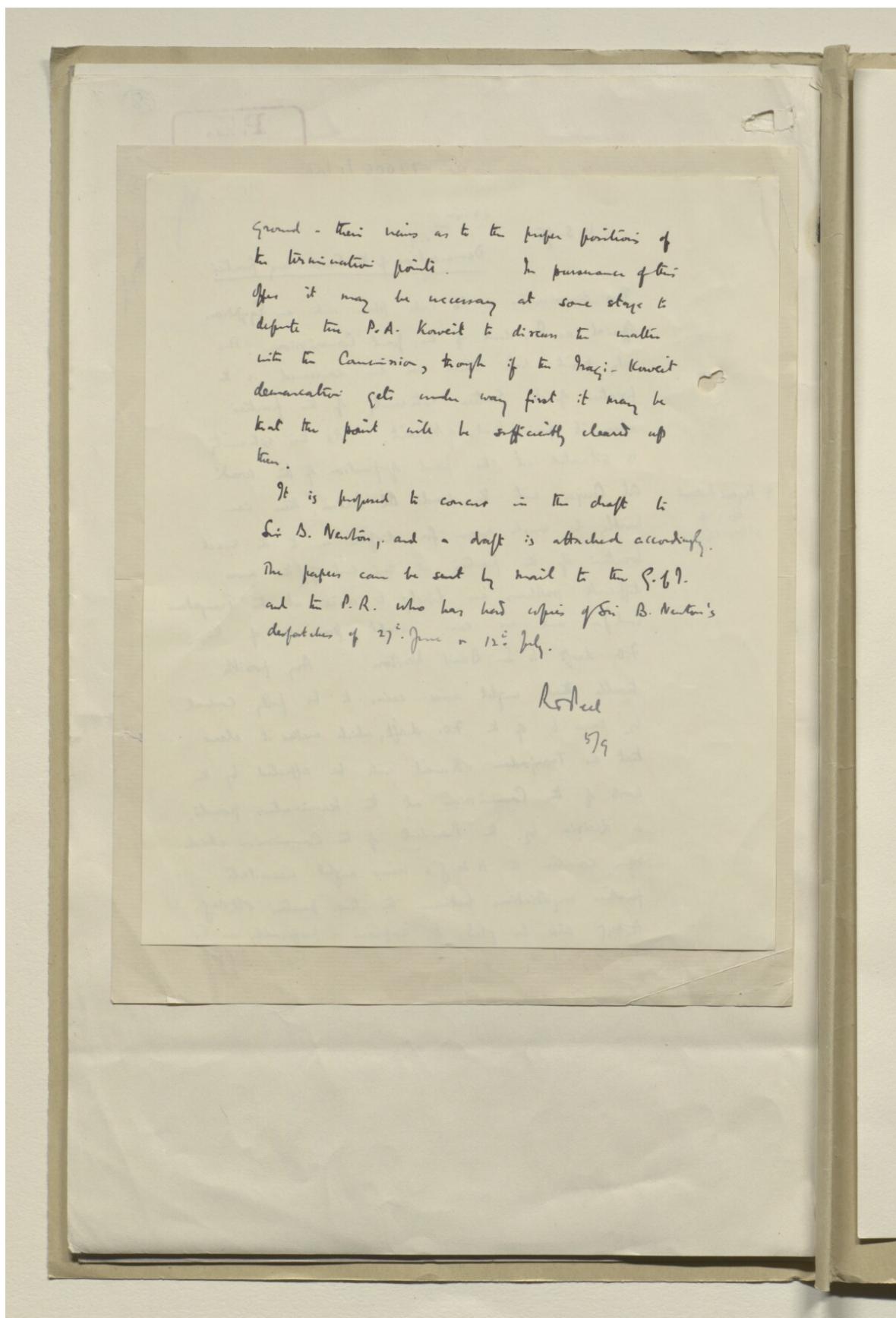


مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."
[١٠] [١١٢/١٩]



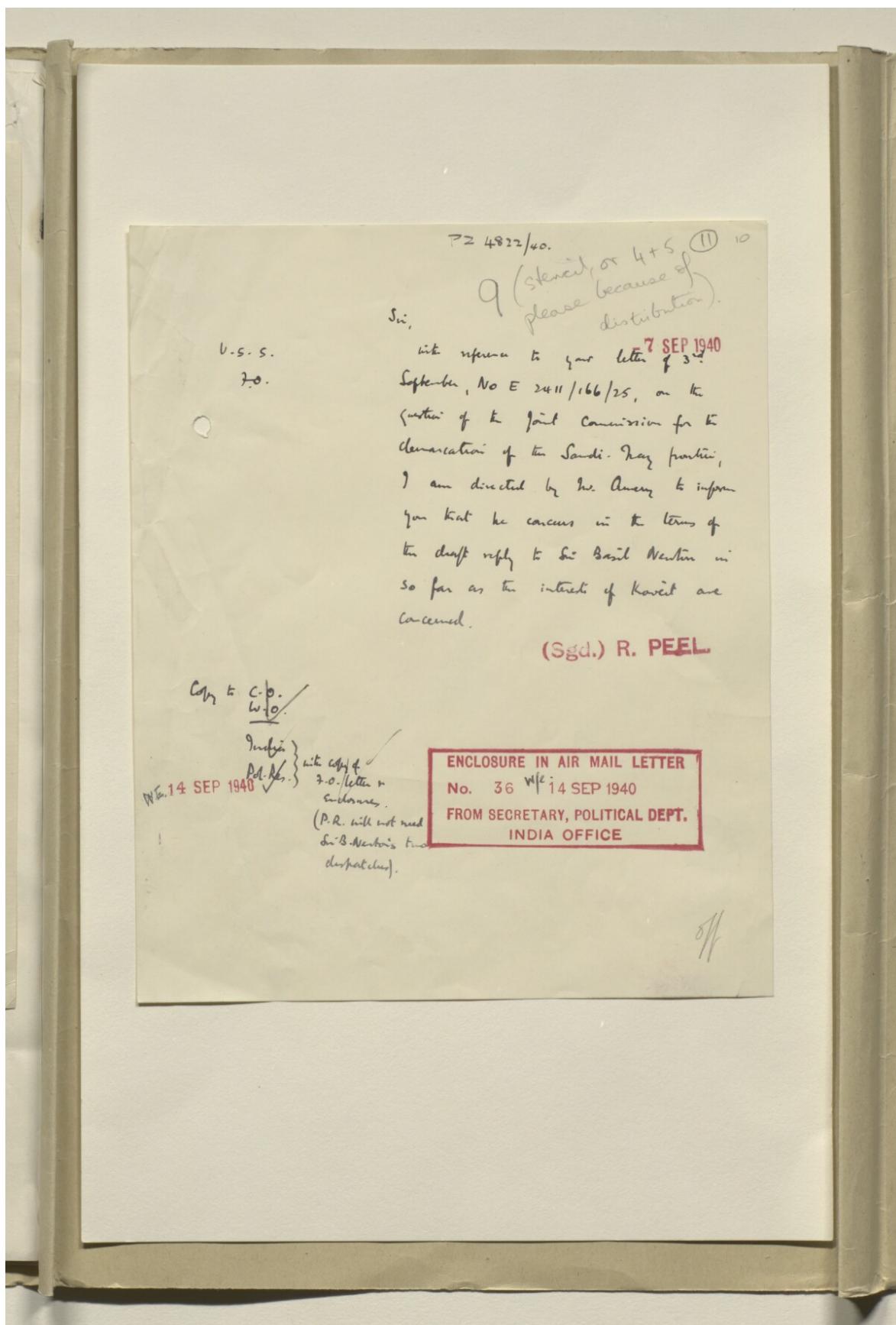


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[١٠/٢٠]



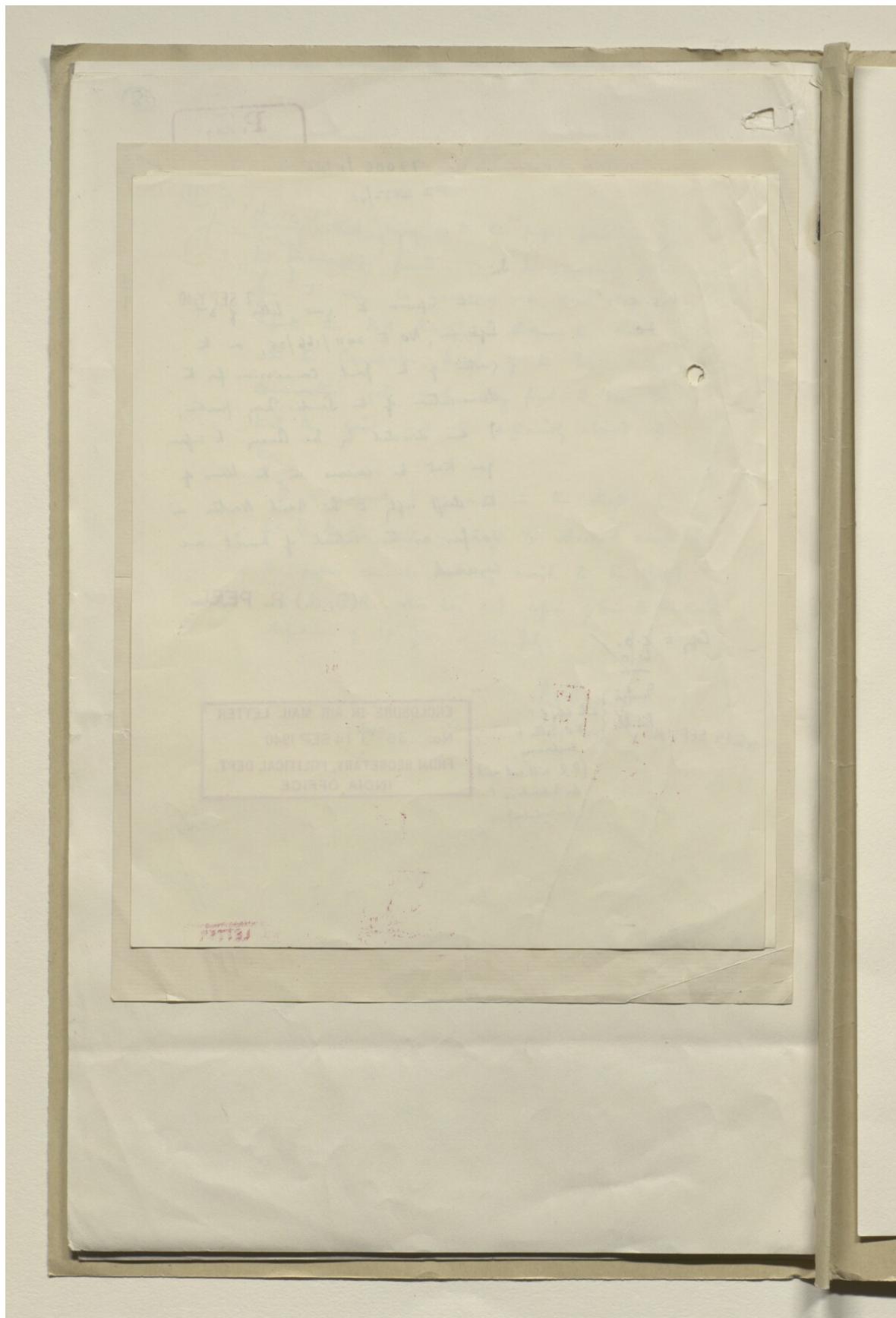


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(١١٢/٢١) [١١]



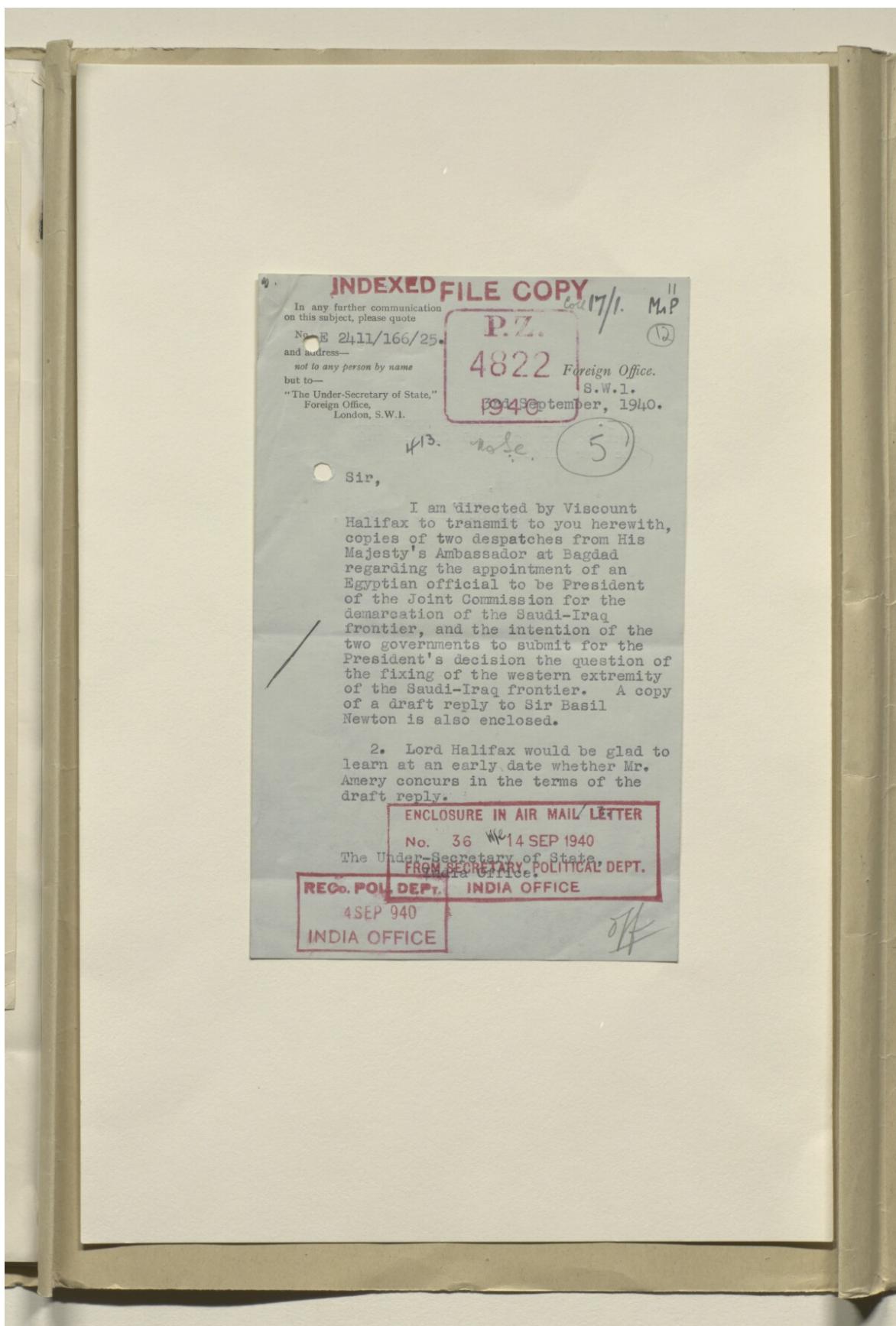


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[١١٢/٢٢] [١١]



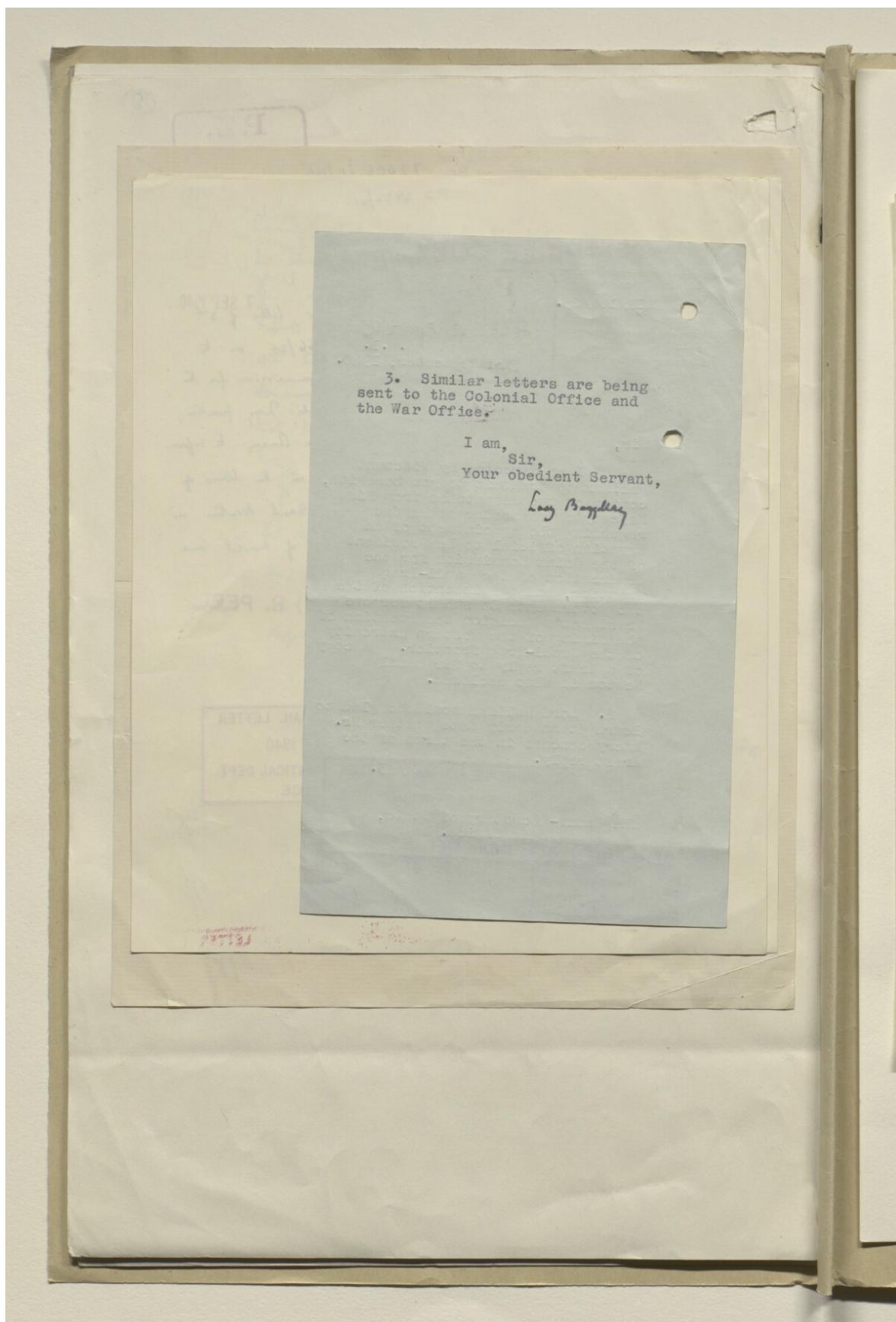


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[١٢] (٢٣/١١٢)



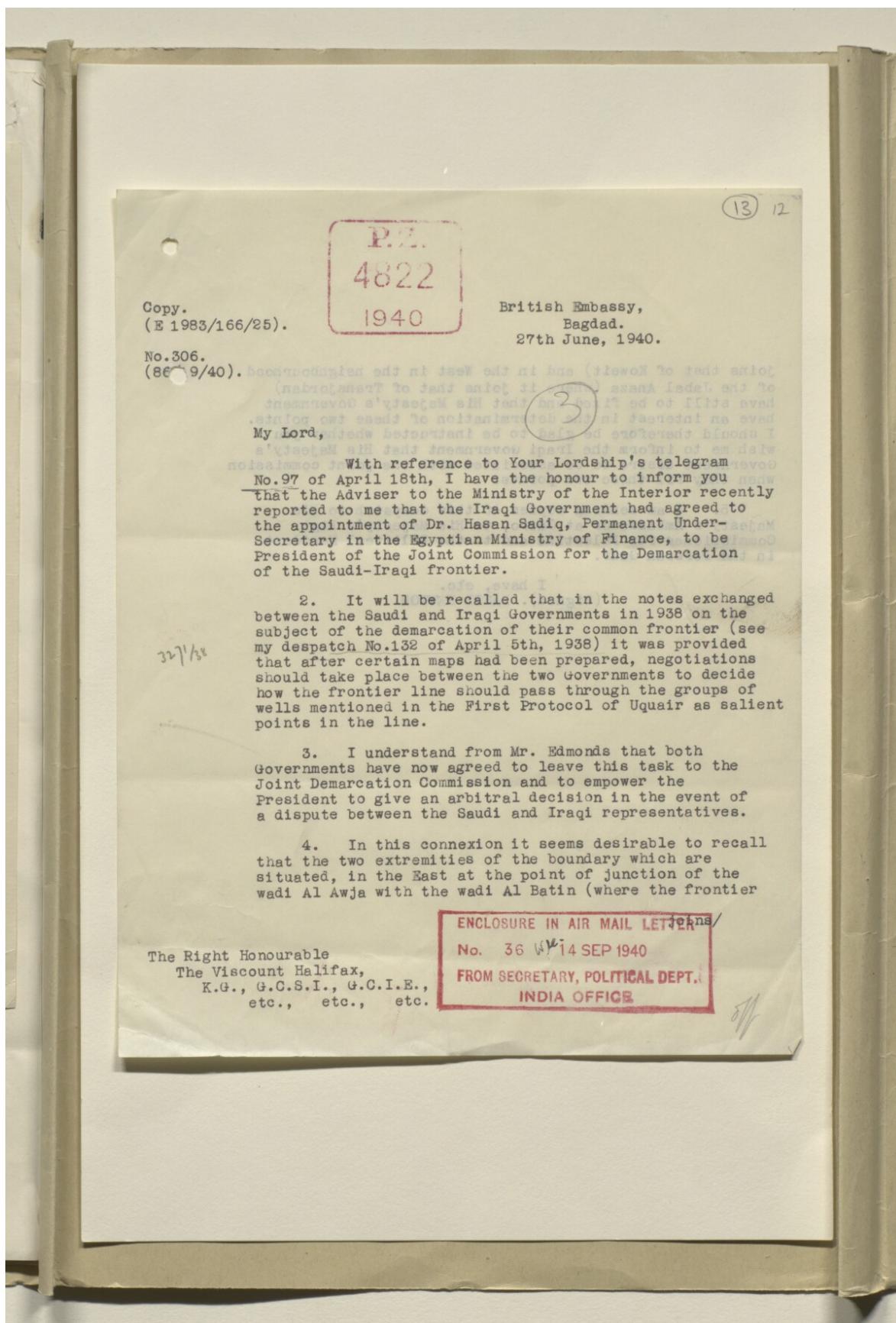


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[١٢/٤١]



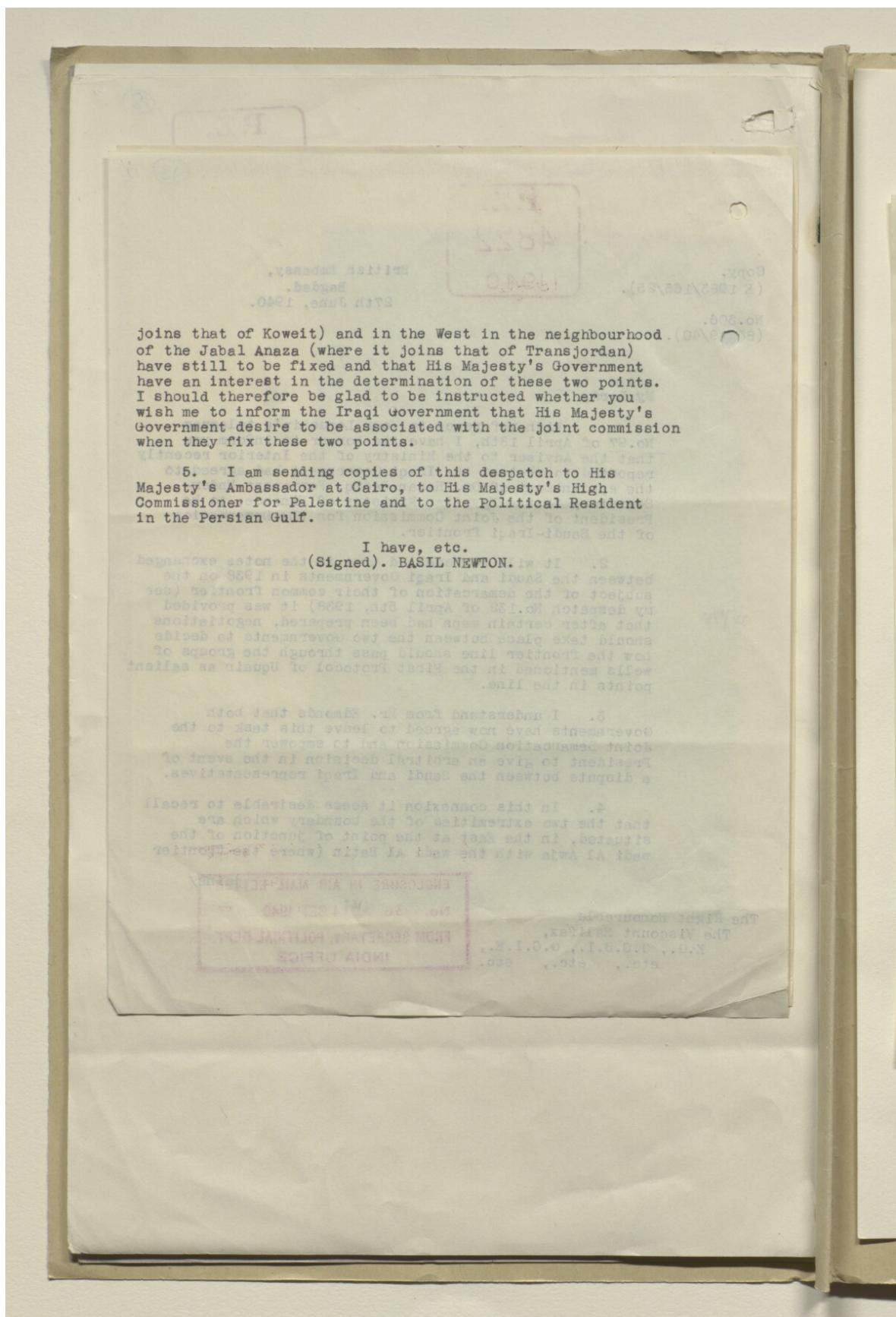


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[١٣] [٢٥/١١٢]



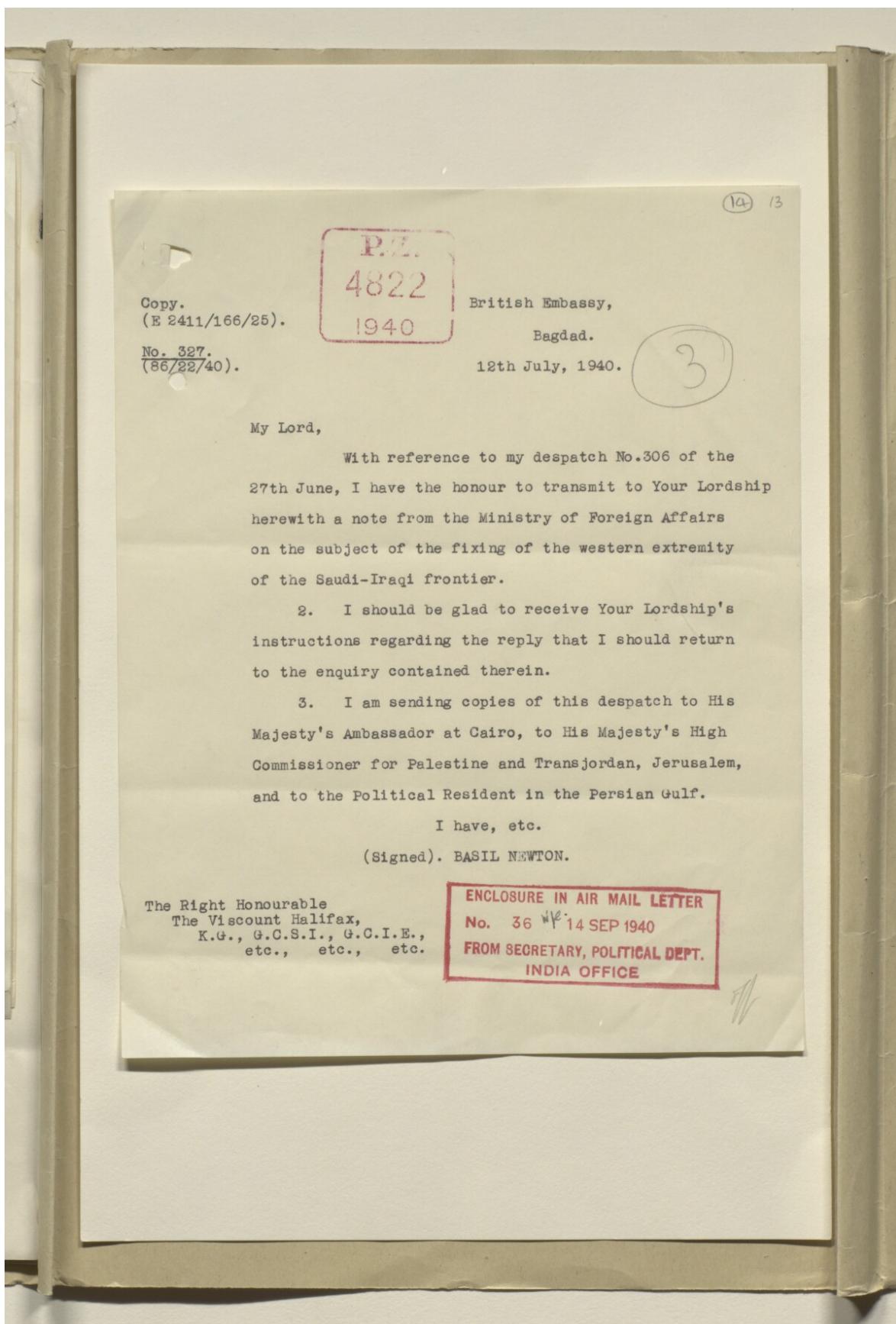


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[١٣] [٢٦/١١٢]



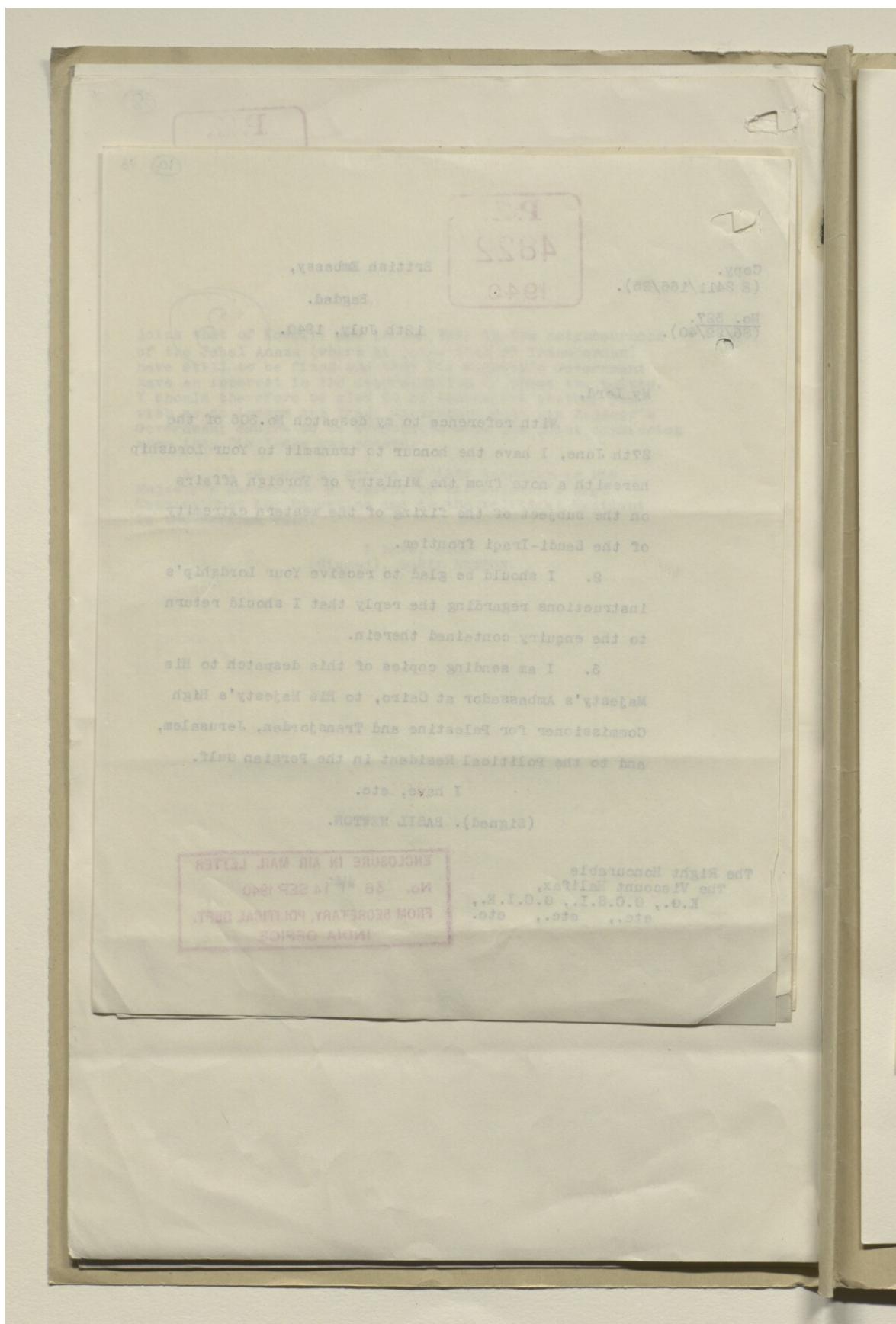


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[١٤] (٢٧/١١٢)



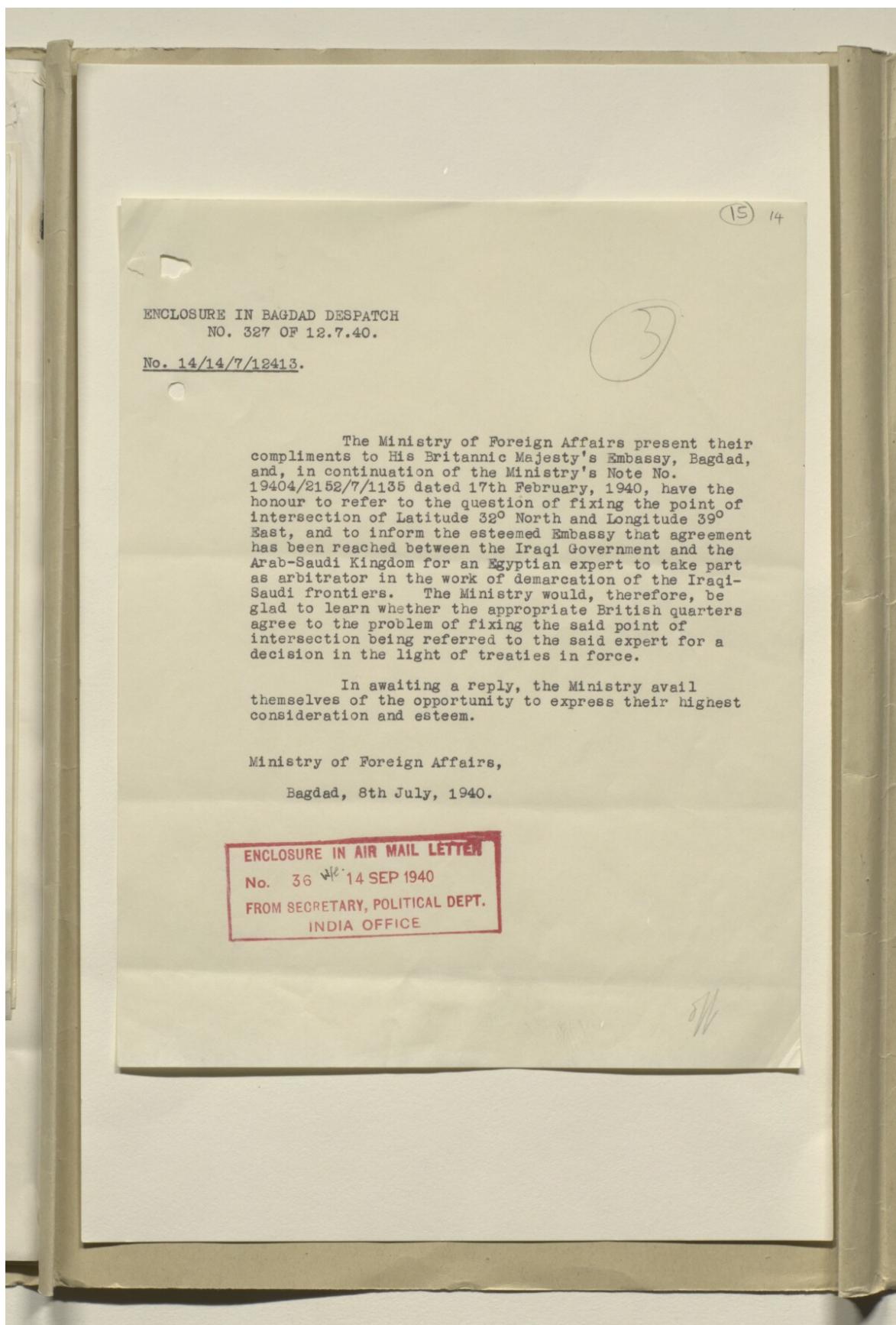


مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."
[٤١ ظ] (٢٨/١١٢)



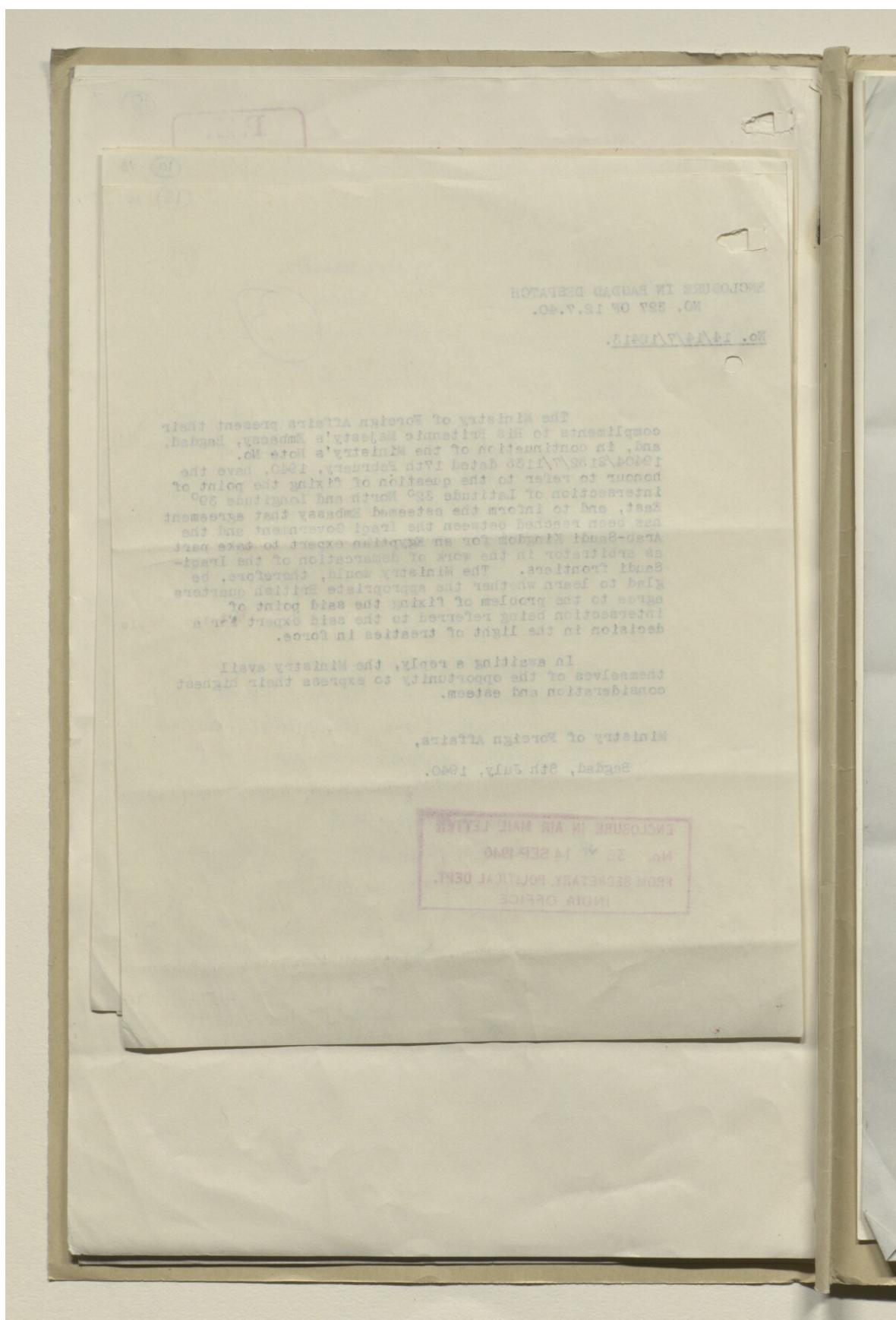


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[١٥] (٢٩/١١٢)





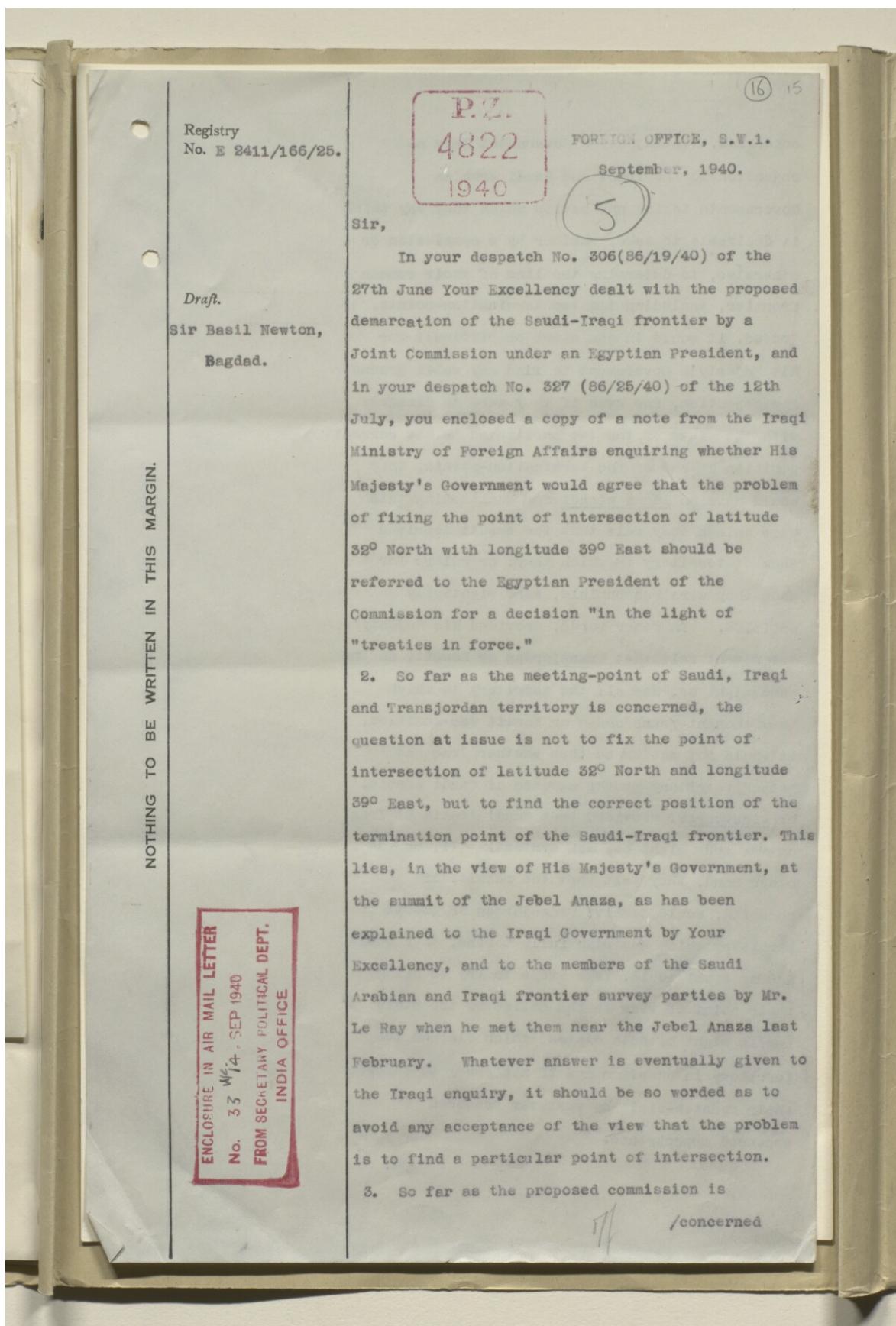
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[١٥١] [٣٠ / ١١٢]





مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."

(١٦) [١١٢/٣١]





concerned, His Majesty's Government have no objection to the Iraqi and Saudi Arabian Governments taking any action which they may think it desirable to take, whether by a commission or otherwise, to determine the line of their common frontier, including its two termination-points. Indeed, it would in one sense be difficult for His Majesty's Government to find any valid ground for objection, for even if they were to disagree with the views of the two parties as to the correct position of one of the termination-points, they would have no locus standi for questioning this view unless they felt that the result deprived them of territory to which they, or rulers for whom they were responsible, were rightfully entitled. In other words, provided His Majesty's Government felt that Transjordan or Koweit, as the case might be, had all the territory to which they thought Transjordan or Koweit was entitled, it would not matter to them whether Iraq had gained territory at the expense of Saudi Arabia, or vice versa, provided that Saudi Arabia or Iraq, as the case might be, was content. If, on the other hand, they felt that the result, if accepted, would deprive Transjordan or Koweit of territory which was rightfully theirs, they could and no doubt would, take steps to try to bring their point of view to the notice of the State (or it might be both States) which claimed the territory in question and if necessary to enforce their counter-claim by whatever measures appeared appropriate.

/4.

NOTHING TO BE WRITTEN IN THIS MARGIN.



(17) 16

NOTHING TO BE WRITTEN IN THIS MARGIN.

4. This is, however, a purely theoretical way of looking at the question and it is clear that in practice no point forming the meeting-point of the territory of three different countries can be settled satisfactorily without the co-operation of all three countries.

5. His Majesty's Government are therefore anxious that no final decision should be taken by Saudi Arabia and Iraq, with or without Egyptian aid, about either of the termination-points of the Saudi-Iraqi frontier, unless they have first had an opportunity of expressing their views. At the same time, they are unwilling to place themselves in the position of being obliged to accept the decision of the Egyptian President, no matter what it may be. You should therefore avoid saying anything which might be taken to imply that His Majesty's Government would regard the President's decision as binding upon themselves. In that case, your reply might, if you see no objection, take the line suggested in the following paragraph:

6. The Iraqi Government's note-verbale of 8th July has been referred to His Majesty's Government, who note that it is the intention of the Iraqi and Saudi-Arabian Governments to settle the line of their common frontier, including its eastern and western termination points, through a Joint Commission under an Egyptian President. His Majesty's Government regard this as a very satisfactory way of

/settling



settling any difficulties which may have arisen between the two Governments over this frontier. Since the work of the commission will cover the two termination points, where questions affecting Transjordan and Koweit territory will be involved, a decision by the President which ran contrary to the view of His Majesty's Government might lead to the necessity of further negotiations between the two parties and His Majesty's Government. When, therefore, the positions of the two termination-points come to be discussed, His Majesty's Government will gladly explain to the two parties and to the Egyptian President their views as to the proper positions of these two points. This can probably best be done upon the ground and if they are given adequate notice (which under war conditions must be taken to mean several weeks at least) they will do their best to send representatives to explain their views to the Commission when it reaches the neighbourhood of these two points.

7. Although His Majesty's Government hope that they will be able by some such procedure as that outlined above to persuade all concerned to accept their view of the proper positions of the two termination points of the Saudi-Iraqi frontier, it must be recognised that there is one point in regard to which special caution is needed. In spite of the general principle enunciated in paragraph 4 a particular

/difficulty

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(18) ١٧

NOTHING TO BE WRITTEN IN THIS MARGIN.

difficulty confronts His Majesty's Government in claiming to have a voice in the settlement of the western termination-point of the Iraqi-Saudi frontier. This difficulty consists in the fact that although the wording of the Hadda Agreement of the 2nd November, 1925, is extremely ambiguous, His Majesty's Government take the view that under its provisions the frontier between Nejd (Saudi Arabia) and Transjordan starts at the termination-point of the frontier between Nejd and Iraq laid down in Uqair Protocol No. 1 of 2nd December, 1922 and not, if there is any difference between the two, at the intersection of latitude 32° North and longitude 39° East (see Foreign Office memorandum E 4690/277/25 of September, 1939, and especially Annex B.) They take this view, both on the merits of the case as a matter of treaty interpretation and because it suits them to do so from the point of view of Transjordan's interests on other parts of the frontier. His Majesty's Government also take the view that there is a difference between the termination-point of the frontier between Nejd and Iraq and this point of intersection and that the termination point should properly be fixed at the summit of the Jebel Anaza. Here, again, they take this view both on the merits of the case as a matter of treaty interpretation and because the acceptance of the "co-ordinates" interpretation for the Uqair Protocol would weaken their argument for rejecting



rejecting it for the Hadda Agreement. But although His Majesty's Government may hold these views, it is strictly speaking not for them to say that the Saudi-Iraqi frontier should terminate at some particular point if the two parties themselves, as a result of arbitration or otherwise, and without infringing any frontier agreements which either of them may have with His Majesty's Government, decide that it should terminate somewhere else.

8. It cannot be said that either Saudi Arabia or Iraq has a frontier agreement with His Majesty's Government which precludes them from placing the termination-point of the Saudi-Iraqi frontier wherever they think fit. The Anglo-Saudi agreement merely refers back, as already explained, to the Saudi-Iraqi agreement. The Anglo-Iraqi agreement about the frontier between Transjordan and Iraq (see the correspondence between the Prime Minister of Iraq and the Chief Minister of the Government of Transjordan of 31st July and 16th August 1932: Print Volume "Further Correspondence Respecting Eastern Affairs: Part XXXI: Chapter V: No. 169) likewise merely states:

"The frontier between Iraq and Transjordan starts in the south at the point of junction of the Iraq-Nejd frontier and the Transjordan-Nejd frontier and ends....."

9. This being so, no claim could strictly speaking be made on behalf of Transjordan

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NOTHING TO BE WRITTEN IN THIS MARGIN.

under the principles enunciated in paragraph 3 even if the decision of the two parties had the effect of depriving Transjordan of territory which she might obtain on some other interpretation. As a matter of fact Transjordan would on this particular part of the frontier receive more territory if the termination point of the Saudi-Iraqi frontier were fixed at, say, the intersection of latitude 32° North and longitude 39° East than if it were fixed at the summit of Jebel Anaza. His Majesty's Government are content even so to support the view which places it on the Jebel Anaza, for the reasons explained in the above-mentioned memorandum. But it would be all the more difficult for them on this account to contest a decision which placed the termination-point at the intersection of the co-ordinates.

10. There is no need to admit the existence of this difficulty to either the Saudi Arabian or the Iraqi Government, but care must be taken to avoid as far as possible the use of any line of argument which might lead to the difficulty being disclosed.

11. As regards the tri-junction point on the east, both the Saudi-Iraqi frontier and the Kuwait-Iraqi frontier are said to start at the junction of Wadi Al Aujeh with Al Retin (see Uqair Protocol No. 1 of the 2nd December, 1922 and General Nuri-el-Said's letter of the 1st July, 1938, to Sir F. Humphrys). Provided

/therefore



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(١١٢/٣٨) [١٩]

therefore that the point of junction is clear
on the ground, there should be no difficulty in
fixing the eastern extremity of the frontier.

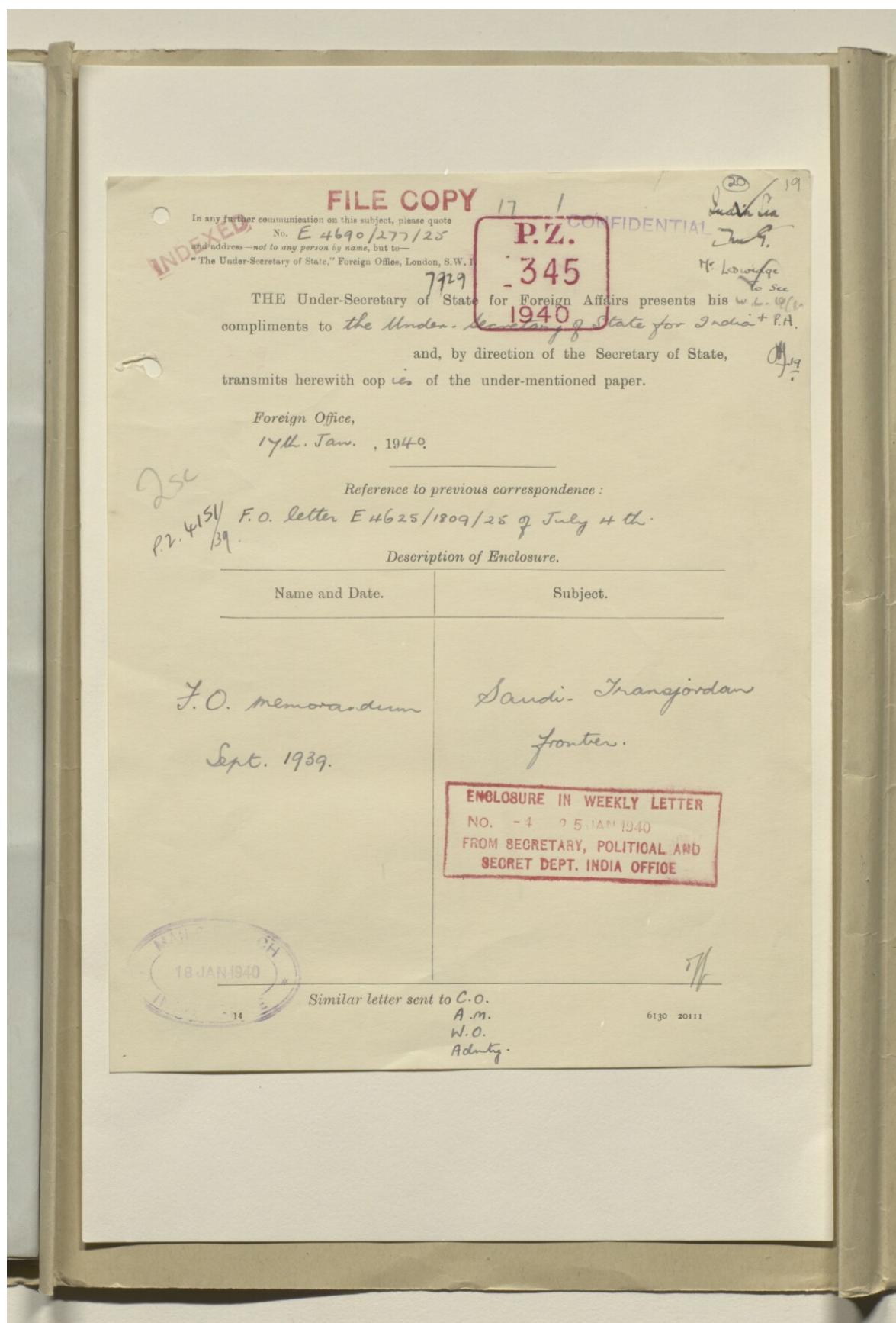
Copies of this despatch are being sent to
His Majesty's High Commissioner at Jerusalem
and His Majesty's Minister at Jeddah.

NOTHING TO BE WRITTEN IN THIS MARGIN.



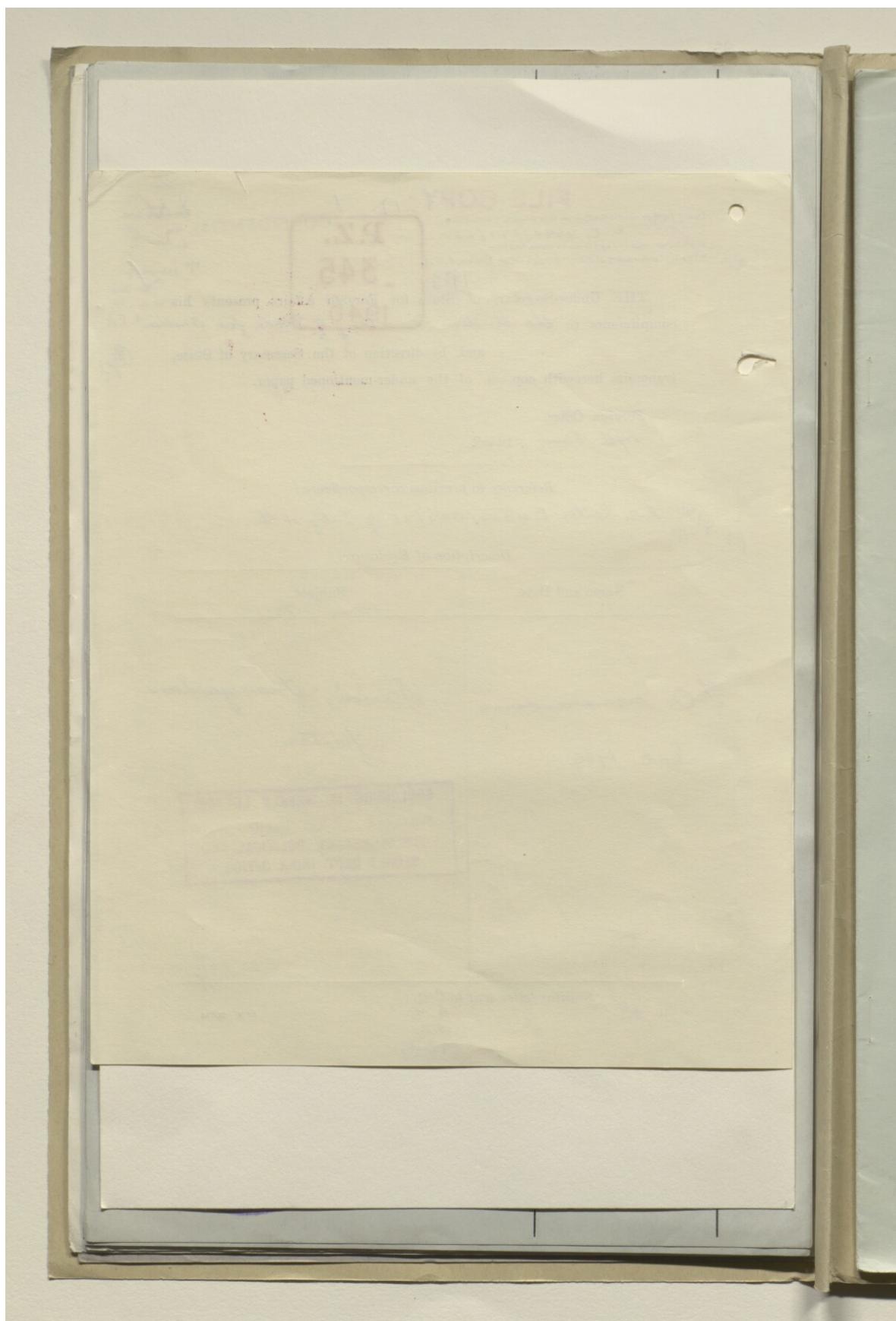


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[٢٠ و [٣٩ / ١١٢]



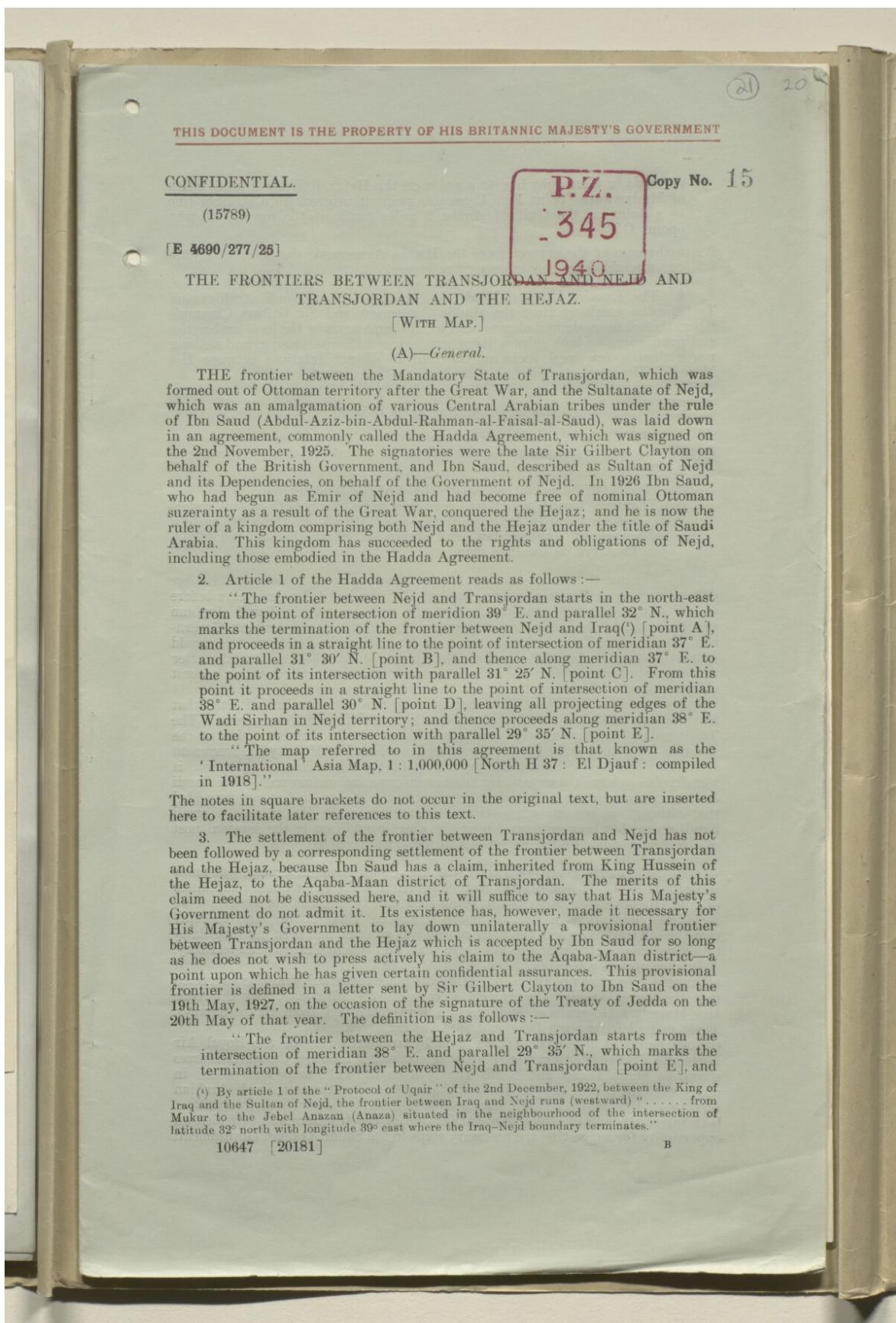


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proceeds in a straight line to a point on the Hejaz Railway 2 miles south of Mudawwara [point F]. From this point it proceeds in a straight line to a point on the Gulf of Aqaba 2 miles south of the town of Aqaba [point G]."

As in the case of the extract from the Hadda Agreement, the notes in square brackets are added for convenience of reference.

4. The frontier between Nejd and the Hejaz (now Saudi Arabia) and Transjordan resulting from the Hadda Agreement and Sir Gilbert Clayton's letter, though never delimited, was observed for some years by the local authorities and populations on both sides without any serious difficulty arising, and nothing worse than a few local incidents occurred to disturb relations between His Majesty's Government and the Saudi Arabian Government.

(B)—*The Discussions of 1934-35.*
no 5.—In 1934, however, two points about which there had been some dispute formed the subject of communications from the Saudi Arabian Government. These were :—

- (i) Hazim, an important well at the head of the Wadi Sirhan.
- (ii) Thaniyya Taraif, which was presumed to be one or both of two water-courses lying to the east of the Jebel Tubaik, in the south-eastern corner of Transjordan, and shown as Shaib Tarais and Shaib Thaniyya on the 1918 map.

6. The question of Hazim arose in the following way: A somewhat similar disagreement over the neighbouring well of Haditha had led a few years before to the recognition by Transjordan that the well lay within Saudi Arabian territory, and to the subsequent suggestion that if the Saudi Arabian Government would allow Transjordan patrols to water at Haditha Saudi patrols should enjoy the same facilities at Hazim. On the 2nd June, 1934, six months after this suggestion was made, the Saudi Arabian Government replied with a request to be supplied with the results of any "astronomic measurements" which might have been made at Hazim. The Saudi Arabian Government also indicated that they considered the well to lie exactly on the frontier with Transjordan. The Transjordan Government were convinced that it lay on their own side of the frontier, but owing to the state of ignorance in which His Majesty's Government then found themselves about the geography of the whole area in question, it was decided to leave the request for further information unanswered. The Saudi Arabian Government have not since returned to the charge; and it may be added that although at seasons when tribes are grazing in the Hazim area a small Sandi patrol has been encamped near the well, in addition to the seasonal post of the Transjordan Police, no serious incident has occurred there.

7. As regards Thaniyya Taraif, the first Saudi Arabian protest was made in October 1934. It was vaguely worded as regards the exact point complained of, and His Majesty's Government, being then still ignorant of the geographical facts, took advantage of this vagueness to conceal their doubts, and to reply that the car track on which the place named was situated had been used regularly by Transjordan patrols for the past three years and was in Transjordan territory. A further protest was made by the Saudi Arabian Government early in 1935. It attempted to be more precise in indicating the place concerned, and this suggested that the Saudi Arabian Government were using the 1918 map. By this time His Majesty's Government had received maps compiled from recent surveys. These maps left no room for doubt that the car track round the southern and eastern flanks of the Jebel Tubaik used by armoured cars of the Royal Air Force and Transjordan Frontier Force when on patrol followed the water-courses shown as Shaib Tarais and Shaib Thaniyya on the 1918 map, and passed in doing so to the east of the line D-E on that map, and so through Saudi Arabian territory. His Majesty's Minister at Jeddah took the view that this protest both increased the necessity for a clarification of the frontiers and provided an opportunity for suggesting the necessary steps to the Saudi Arabian Government.



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ادى الى النتائج في (C)—Effect of the Surveys made since 1918.

8. But the surveys mentioned in the preceding paragraph had led to much more disconcerting discoveries than that relating to the Thaniyya Taraif. It was now clear that the whole Transjordan-Nejd frontier established as a result of the Hadda Agreement in 1925, and consequently also the eastern terminal (point E) of the Transjordan-Hejaz frontier, as laid down unilaterally by His Majesty's Government in 1927, were (although the Saudi Arabian Government might not know it) open to serious doubt as the results of these surveys, which showed :—

- (i) That the geographical positions of the physical features shown on the 1918 map were seriously in error, the latitudes and longitudes of such points as could be identified proving to be several miles to the south and east of their geographical positions as shown on the 1918 map; and
- (ii) That, in addition, much inaccuracy exists as regards the relations of the physical features shown on the 1918 map to one another.

9. The sectors where these inaccuracies are most marked are the extreme north, *i.e.*, the point at which the frontiers of Iraq, Nejd and Transjordan meet, and the extreme south-east, *i.e.*, the Jebel Tubaik area, at the eastern end of which lies the Thaniyya Taraif.

10. This discovery placed His Majesty's Government in a position of some perplexity, since :—

- (a) In the north, the Jebel Anaiza (the termination point of the Iraq-Nejd boundary) was now found to lie some 15–20 miles to the north-east of the point where it was thought to lie when the map was made in 1918 and the frontier described in 1925.^(*) But the consequence of moving the starting point of the Transjordan-Nejd frontier 15–20 miles to the north-east of the correct point of intersection of meridian 39° E. and parallel 32° N., and drawing the frontier line from this new point to Point B, might be, first, to place Hazim inside Saudi Arabia^(*) and, secondly, to reduce the width of the corridor (through which passed the Iraq Petroleum Company's pipeline) connecting Transjordan with Iraq. For this sector, therefore, it seemed at first sight to be to the interest of His Majesty's Government to adopt an interpretation of the Hadda Agreement, whereby the geographical co-ordinates mentioned therein should alone be taken into account in determining the frontier the 1918 map, all other considerations being disregarded (the result of such an interpretation may be called for convenience the "literal" frontier).
- (b) In the south-east, parts of the Jebel Tubaik were now found to lie, for a distance of some 20–25 miles, to the east of the line D–E as established by the correct co-ordinates, and, similarly, for some 20–25 miles, to the south of the "literal" line E–F, instead of lying wholly to the north and west of the frontier. But the result of having so much of the Jebel Tubaik to the south and east of the frontier would be that the car tracks round its southern and eastern flanks, the continued use of which was considered essential for the defence of Transjordan (owing to the supposed impossibility of finding any alternative tracks further to the north and west) would also lie to the east and south of the frontier and so be outside Transjordan territory. For this sector, therefore, His Majesty's Government preferred an interpretation of the Hadda Agreement, whereby the frontier should bear the same relation to the physical features as

^(*) The Jebel Anaiza does not in consequence appear upon the latest (1938) El Djauf 1:1,000,000 sheet at all, but on the Damascus sheet.

^(*) As a matter of fact, the information embodied in the latest El Djauf and Damascus 1:1,000,000 sheets seems to show that Hazim lies in Transjordan whether point A is taken as the correct intersection of 39° E. and 32° N. or the summit of the Jebel Anaiza, and equally whether point A is placed at the 940 metre or the 935 metre summit (see (c) in paragraph 11 below).

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B 2



it bore when drawn on the 1918 map, the correct position of the geographical co-ordinates being disregarded (the result of such an interpretation may be called for convenience the "true" frontier, but it must be understood that it is only true in the sense that His Majesty's Government have for their part formed the opinion, for reasons given below, that it represents the proper interpretation of the Hadda Agreement.

11. There were, however, yet further complications:—

- (c) The Jebel Anaiza had been found to have two summits, the higher (940 metres) being nearer to the correct intersection of meridian 39° E. and parallel 32° N., but the lower (935 metres), which lies some 8 miles to the north-east of the higher, being generally regarded by the Bedouin (according to Air Headquarters in Iraq) as the "Jebel Anaiza." In spite of the local interpretation, it was eventually decided that the 940-metre summit should be adopted for the purpose of marking the frontiers between Iraq and Nejd and Transjordan and Nejd on maps published by His Majesty's Government, the 940-metre summit corresponding more closely than the other with the terms of article 1 of the Hadda Agreement and article 1 of the Protocol of Uqair.
- (d) On a strict, and, indeed, on any, construction of the Hadda Agreement, the line C-D fell short at most points of the edges of the Wadi Sirhan, a Wadi which is reported to have such well-defined banks as to make it possible to state where an "edge" runs. It was, however, considered necessary that Royal Air Force machines should be able to fly up to, although not beyond, the "edges" of the Wadi, so as to be able to spot concentrations of raiders within it.
- (e) Most important of all, there was the special difficulty affecting the south-eastern sector (already mentioned in paragraph 7), where a part of the car track round the eastern end of the Jebel Tubaik (*i.e.*, the part in the Thaniyya Taraiif area) lay to the east of the frontier (D-E) even as shown on the 1918 map, and, indeed, to the east of the frontier on any possible interpretation of the Hadda Agreement. It seems probable that, when the agreement was signed, the negotiators failed to realise that the spur between Shaib Tarais and Shaib Thaniyya, as shown on the 1918 map, and an adjoining bluff called the Thaila Maizala, formed part of the *massif* of the Jebel Tubaik, or that the features marked on the 1918 map to the south of the Jebel Tubaik were hopelessly inaccurate. However this may be, the Saudi Arabian Government had become aware that the track entered their territory at the Thaniyya Taraiif, while His Majesty's Government, as has been stated, were most anxious to retain the use of this track.
- (f) A part of the car track round the southern flank of the Jebel Tubaik lay similarly to the south of the line E-F on any possible location of point E under the Hadda Agreement, and on any possible drawing of the frontier laid down in Sir Gilbert Clayton's letter. It was even found that a Royal Air Force landing ground to the south of the Jebel Tubaik lay beyond any frontier which His Majesty's Government could possibly claim.
- (g) To make matters still more complicated, the position of point E, if this position is fixed on the latest El Djauf sheet on the basis of the relation which its co-ordinates as given in the Hadda Agreement bear to the physical features along the Transjordan-Nejd frontier, is different from the position of point E, if this position is similarly fixed in relation to the physical features along the Transjordan-Nejd frontier. In other words, so far as the straight line of Sir Gilbert Clayton's letter (E-F) is concerned, there are two possible versions of the so-called "true" frontier. For convenience the "true" frontier proper may be taken as the version which depends on the physical features along the Transjordan-Nejd frontier, and the version depending on the physical features along the Transjordan-Hejaz frontier may be called the "modified true" frontier, point E on the "modified true" frontier lying some miles due south of its



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position on the "true" frontier. (It would, however, be impossible for His Majesty's Government, in any negotiations which may take place with the Saudi Arabian Government hereafter, to make any claim on the basis of the physical features along the Transjordan-Hejaz frontier. Point E must, in fact, be fixed according to some interpretation or other of the Hadda Agreement only, without regard to any other data, and the "modified true" frontier is mentioned here by way of explanation only.)

12. In view of these difficulties and particularly of (e), it was decided to try to secure the consent of the Saudi Arabian Government to an interpretation which would ignore both the correct positions of the geographical co-ordinates and the 1918 map, and so not correspond exactly with either the "literal" or the "true" frontiers, but which would depend on the intentions of the negotiators of the Hadda Agreement, which had been, as there was good reason to assume, to leave the whole of the Wadi Sirhan to Nejd and the whole of the Jebel Tubaik to Transjordan.

(D)—*The Discussions of 1935–38.*

13. Instructions were accordingly sent to Sir Andrew Ryan, His Majesty's Minister at Jeddah, in fulfilment of which he addressed the Saudi Arabian Minister for Foreign Affairs (the Emir Faisal) on the 4th June, 1935, in the following terms:—

"My Government have now instructed me to inform your Royal Highness that the question of Thaniyya Taraif is necessitating exhaustive study, owing to difficulties in maps, but that His Majesty's Government will be prepared to discuss it with his Excellency Fuad Bey [Fuad Bey Hamza, the Deputy Minister for Foreign Affairs] in London. They trust this will be agreeable to the Saudi Arabian Government, and that Fuad Bey may be in a position to deal with the matter in accordance with the conversations regarding the various matters which it was agreed to reserve for further discussion during his visit to London."

It had been decided that there was no need to raise the question of Hazim until Fuad Hamza reached London.

14. The question of the Transjordan-Nejd frontier was duly discussed during the visit of Fuad Hamza, the first meeting being held at the Foreign Office on the 15th July, 1935. In the course of the discussion Mr. Rendel, the head of the Eastern Department of the Foreign Office, proposed either:—

(a) That the question should be left in abeyance for the present; or
(b) That it should be cleared up, in which latter case he suggested—

(i) A new and detailed survey of the whole frontier area on both sides of the line.
(ii) The interpretation of the line laid down by the Hadda Agreement in the light of the known intentions of the negotiators.
(iii) When (i) and (ii) had been settled, a frontier delimitation commission should be set up "to delimit on the ground the nearest possible approach, in the light of the new information available, to the frontier which King Abdul Aziz and Sir Gilbert Clayton were trying to lay down in the Hadda Agreement."

15. Fuad Hamza did not welcome these suggestions, but agreed to submit them to King Abdul Aziz. In reply, he made the following two alternative proposals:—

(1) That the frontier should be delimited on the ground purely in the light of the description by geographical co-ordinates, i.e., by latitude and longitude only as given in article 1 of the Hadda Agreement (a solution corresponding to the so-called "literal" frontier: see (a) in paragraph 10 above); or



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(2) That all existing physical features shown on the 1918 map as lying to the west of the frontier should be regarded as falling within Transjordan, and all of those shown as lying to the east of it should be regarded as falling within Saudi Arabia, irrespective of where they might actually be on the ground (a solution approximating to the "true" frontier: see (b) in paragraph 10 above).

16. Mr. Rendel subsequently wrote a letter to Fuad Hamza on the 19th July, 1935, embodying the substance of the discussion and the various proposals, but while undertaking to submit Fuad Hamza's proposals to the proper authorities, he held out very little hope of their being found acceptable. At the end of this letter was added the proviso that the discussion was to be understood to affect only the Transjordan-Nejd frontier and not the frontier between Transjordan and the Hejaz.

17. When, however, the record of the conversation of the 15th July, 1935, reached Jerusalem and Amman, the civil and military authorities immediately reported in favour of the acceptance of Fuad Hamza's second ("physical features") proposal (see (2) in paragraph 15 above).

18. The reason for this change of attitude was that the Royal Air Force had in the meanwhile discovered that a new car track^(*) could be made further to the west in the Jebel Tubaik area, which would eliminate the necessity of insisting on the retention of Thaniyya Taraif within Transjordan. In a despatch to the Colonial Office, dated the 27th December, 1935, the Deputy High Commissioner for Transjordan wrote:—

"Examination of this proposal in the light of the known positions of the physical features leads me to the conclusion that it [the 'physical features' suggestion] would probably constitute a settlement of the question satisfactory both to the Royal Air Force and to the Transjordan authorities. Indeed, it appears that it would in most essentials agree with the intentions of the negotiators of the Hadda Agreement, which His Majesty's Government contend should form the basis of an agreed delimitation of the Hadda Agreement frontiers. It would place the whole of the Jebel Tubaik in Transjordan, with the exception of the small spur between Shaib Tarais and Shaib Thaniyya, which is shown on the (1918) 1/1,000,000 map as lying to the east of meridian 33° east [the line D-E when shown on the 1918 map]; it would establish the Transjordan-Nejd frontier generally along the south-western edge of the Wadi Sirhan; thus assuring to Transjordan an area valuable both for the grazing of Bedouin flocks and also from the point of view of the difficulties of Transjordan; it would assure Hazim to Transjordan; and it would fix the southern terminal of the Transjordan-Nejd frontier approximately 7 miles further south than its position according to geographical co-ordinates, thereby moving the Transjordan-Hejaz frontier between that point and Mudawara further to the south. . . . I have reached the conclusion that it would be to the advantage of His Majesty's Government and of Transjordan if a settlement of the frontier could be reached on the basis proposed by Fuad Bey Hamza, and I recommend that the proposal should be pursued at the earliest opportunity."

19. The news that an alternative car track could be made came as a complete surprise to His Majesty's Government, since it had hitherto been thought that, unless the car track running round the eastern extremity of the Thaila Maizila bluff could be kept for Transjordan, the control of the Jebel Tubaik would become impossible, and the whole of the Jebel would, in practice, be lost. It was on the basis of this belief that Fuad Hamza's proposals had been given so discouraging a reception when they were first put forward. The new situation created by this discovery was immediately reviewed by His Majesty's Government and it was agreed:—

(a) That His Majesty's Minister at Jeddah should be instructed to remind Fuad Hamza of his undertaking (recorded in paragraph 15 of Mr. Rendel's letter of the 19th July, 1935, to Fuad Hamza) to submit the proposals of His Majesty's Government to King Abdul Aziz; and

(*) This discovery, however, later proved incorrect (see paragraph 32 below).



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to press Fuad Bey for an early statement of the Saudi Arabian Government's views;

- (b) That Sir Andrew Ryan should be confidentially informed that, in view of the changed situation revealed by the despatch of the 27th December, 1935, from the Deputy High Commissioner for Transjordan, His Majesty's Government would now be ready to accept the second of the two alternative proposals put forward by Fuad Bey on the 15th July (see paragraph 15 (2) above); but that His Majesty's Government considered it preferable not to take the initiative in informing the Saudi Arabian Government to this effect.

20. Instructions on these lines were sent to Sir Andrew Ryan, and he accordingly spoke to Fuad Hamza on the 16th March, 1936, reminding him of his undertaking to submit to King Abdul Aziz the proposals made by Mr. Rendel in his letter of the 19th July, 1935, and pressed him for an early statement of the Saudi Arabian Government's views. Sir Andrew Ryan further intimated to Fuad Hamza that, if the Saudi Arabian Government found Mr. Rendel's proposals impossible of acceptance, His Majesty's Government might find means to overcome the difficulties which Fuad Hamza's own counter-suggestions appeared to present. On the 20th March Sir Andrew Ryan was instructed that, if Fuad Hamza definitely rejected Mr. Rendel's proposals, he might agree in principle to Fuad Hamza's "physical features" proposal without further reference home.

21. The action recorded above elicited from Fuad Hamza on the 30th March, 1936, the following oral reply:—

- (a) That there should be no departure from the text of the Hadda Agreement;
(b) That the geographical facts should be ascertained (as suggested by Mr. Rendel);
(c) That delimitation should be effected on the lines of Fuad Hamza's first proposal (*i.e.*, delimitation on the ground in the light of the description by geographical co-ordinates (see (1) in paragraph 15 above)).

22. Sir Andrew Ryan indicated in reply that Fuad's suggestion under (b) in the preceding paragraph would lead up more naturally to his "physical features" proposal than to his "geographical co-ordinates" proposal. Thereupon Fuad Hamza suggested a combination of both proposals, *i.e.*, a settlement partly on the basis of physical features, partly on the basis of co-ordinates. On being pressed to say more exactly what he meant, Fuad Hamza's final position seemed to be that geographical facts should be ascertained and that places adjoining the frontier should be assigned, with reference to the co-ordinates on the 1918 map, in relation to the general physical structure as shown thereon. This was still somewhat obscure, but he confessed that, in the last resort, the process would be one of "bargaining." Fuad Hamza stressed the fact that only the Transjordan-Nejd frontier was under discussion.

23. This reply was not very helpful, as Fuad Hamza's two alternative proposals of the 19th July were incompatible. The essence of the whole problem was that the Hadda Agreement itself contained these two incompatibilities. However, no doors had been closed and Fuad Hamza had, in effect, accepted the proposals for a new survey and a delimitation commission. The next step was to draw him back to his "physical features" proposal, which was to the advantage of Transjordan, and away from the idea of delimitation on the basis of co-ordinates; further, to obtain a clear-cut understanding that the "physical features" proposal was to form the basis of the work of the survey and delimitation commission before that commission embarked on its task; and, finally, to make it clear that there could be no question of "bargaining."

24. Accordingly, Sir Andrew Ryan was instructed to reply to Fuad Hamza to the effect that His Majesty's Government were prepared to agree to his "physical features" proposal, provided that he abandoned definitely his "co-ordinates" proposal. Bargaining was to be excluded, but if the frontier resulting from a settlement on the basis of "physical features" proved to be inconveniently distorted, there might still be room for some adjustment with mutual advantages. On this understanding, His Majesty's Government would



be prepared to proceed forthwith, in agreement with the Saudi Arabian Government, to the appointment of a frontier delimitation commission to carry out the survey and delimit the frontier on the basis of the "physical features" proposal.(^٤)

25. The departure of Fuad Hamza for Egypt on the 14th April, 1936, obliged Sir Andrew Ryan to take the matter up with Sheikh Yusuf Yasin (Ibn Saud's private secretary), who was ignorant of the details. At the second discussion, the sheikh said he would convey the latest view of the Saudi Arabian Government by personal letter. At the third meeting on the 23rd May he proposed that when the joint commission had reported, and not until then, steps should be taken to determine the frontier in whatever manner might seem most suitable. On the 6th June Sir Andrew Ryan reminded the sheikh of his promise of a letter. On the 17th July the sheikh replied that the Saudi Arabian Government preferred to postpone going any further with the question until they had been able to obtain further information as to the nature of the frontier. He asked Sir Andrew Ryan to accept this oral statement instead of the promised letter.

26. At the end of December 1936 Fuad Hamza confirmed Sheikh Yusuf Yasin's statement that the Saudi Arabian Government wanted more information before replying, and it became apparent that no early progress was to be expected. Moreover, it had for some time appeared likely that the information which the Saudi Arabian Government desired before committing themselves was, in fact, information as to where His Majesty's Government thought the frontier lay, for a forward movement had recently been observed among the Saudi frontier posts. On their side the Transjordan authorities had, on the 31st December, 1936, reported unofficially that, since the end of the Palestine disorders of that year, two patrols had been sent out along the "physical features" line without apparent effect on the Saudi Arabian authorities.

27. The question of the Transjordan-Nejd frontier was next discussed with representatives of the Saudi Arabian Government at a meeting at Jeddah on the 19th March, 1937, between Sir Reader Bullard (who had succeeded Sir Andrew Ryan as His Majesty's Minister at Jeddah) and Mr. Rendel on the one side and Sheikhs Yusuf Yasin and Hafiz Wahba (the Saudi Arabian Minister in London) on the other. Nothing would induce Sheikh Yusuf Yasin to agree beforehand upon the principle to be adopted for delimitation after a fresh survey had been effected and a correct map made. Instead, he proposed that the joint commission should first make a survey and prepare a map, and that the two parties should then compare the new map with the old and try to delimit the frontier in friendly discussion. The practical advantages of Fuad Hamza's earlier "physical features" proposal were again set before Sheikh Hafiz, but it was evident that that proposal was now regarded with great suspicion by the Saudi Arabian authorities (no doubt because His Majesty's Government had suddenly become so favourable towards it, after having first rejected it), and that it stood no chance of being accepted by them.

28. The new Saudi proposal was confirmed a day or two later in writing in the following terms:—

"In view of the desire (expressed) regarding the demarcation of the frontier between Nejd and Transjordan, and whereas it has been expressed on several occasions from the British side that there were mistake(s) in the map referred to in the Treaty of Hadda, and under which the frontiers of Nejd and Transjordan had been defined, our Government, while preserving and adhering to the text of the said Treaty of Hadda, agree to the selection of a Joint Technical Committee for the survey of the territory along the frontiers and the making of a correct map thereof. And if, after comparing it with the one according to which the frontiers were specified in the Treaty of Hadda, a discrepancy is found between the two maps, whether as to longitude or latitude, or places, friendly discussion shall take place between the two Governments with a view to reaching an understanding and agreement thereon. If an agreement be reached, well and good; if not, then the two parties shall have recourse to the text of the Treaty of Jeddah."

(^٤) The proposal for a commission to survey and delimit the frontier at one and the same time was later modified, as is explained below.



29. Although the new Saudi scheme involved the risk of duplication of work and expense—for it might entail a delimitation commission in addition to a survey commission—it had, in Sir Reader Bullard's opinion, advantages which far outweighed its possible drawbacks :—

" By giving way to a point to which the Saudi Arabian Government seem to attach great importance, we can show that our own proposal was not a trap and make them feel that they are being given fair treatment, while our interests are protected by the fact that, whatever procedure is adopted, in the end the frontier must be drawn according to the places shown on the (1918) map."

30. This recommendation was accepted after consideration by His Majesty's Government, and Sheikh Yusuf Yasin and Sheikh Hafiz Wahba were duly informed by Mr. Rendel on the 30th June, 1937, that the Saudi proposal for a joint survey was acceptable. At the same time His Majesty's Minister at Jeddah was instructed to inform the Saudi Arabian Government in similar terms.

31. The next step was to devise practical arrangements for the execution of the proposed survey, and His Majesty's Government gave consideration to the various points to be settled. Unfortunately a number of difficulties of a technical character arose, mainly in connexion with the terms of reference of the survey party and the question of the precise moment at which the Saudi Arabian Government should be informed of the results of the latest surveys in the frontier area; and over a year had elapsed before it was possible to formulate concrete proposals. In October 1938, however, Sir Reader Bullard was instructed to communicate draft terms of reference for the survey party (Annex A) to the Saudi Arabian Government and ascertain whether they were in agreement with them, or whether they wished to propose any additions or amendments. To this enquiry no reply has yet been received. Sir Reader Bullard was also instructed to communicate in due course copies of the latest (1938) El Djauf sheet of the 1:1,000,000 international map of the Saudi Arabian Government.

32. Meanwhile, a further survey of the frontier had been carried out by Squadron-Leader Dawson in May 1937, which threw fresh light upon the position with regard to possible alternative tracks round the Jebel Tubaik and along the Transjordan-Hejaz frontier. The report of Squadron-Leader Dawson showed that the information recorded in paragraph 18 was incorrect, and that for strategic reasons the retention of the present *de facto* frontier was of great importance, since no satisfactory alternatives could be found—

(a) To the armoured car route passing to the east of the Jebel Tubaik and thence to the east of the line D-E on the Transjordan-Nejd frontier; it seemed that although a track known as "T track" passing south from point A 120 through Kilwa to Ferdat was passable for armoured cars, there was a gap of about 12 miles between this track and the track round the Jebel Tubaik used by the Transjordan patrols (CTJ track). This gap was filled by a track of kinds down the Wadi Chadelwiyat and the cliffs on the southern face of the Jebel Tubaik, which Squadron-Leader Dawson followed in a light car; but he formed the opinion that armoured cars could not use it and might be easily ambushed if they did so; the most he found possible was, having once descended the face of the Jebel, to join TJ track from JTA track without going south of the line E-F.

(b) To the tracks on the present Transjordan-Hejaz frontier which lie to the south of the line E-F as it appears on the 1938 El Djauf map; this refers to two tracks known as "BA track" and "Major Glubb's southern track," running westwards from the neighbourhood of point JTA to Mudawara; no track running further north from Ferdat to Mudawara could be found.

(E)—Conclusion.

33. It may be convenient in conclusion to summarise more explicitly the views which His Majesty's Government have formed as a result of the study of this question during the last four years.



34. His Majesty's Government have reached the conclusion that a frontier settlement based on the supposed intentions of the negotiators of the Hadda Agreement only cannot be sustained; and that the proper method of applying the provisions of the agreement is one producing a frontier line based upon the text and the 1918 map in conjunction (called the "true" frontier in (b) in paragraph 10). In arriving at this conclusion His Majesty's Government have given full weight to the arguments which may be put forward on the other side in support of the contention that the boundary, as defined by co-ordinates alone in the text of the agreement (*i.e.*, the so-called "literal" frontier), is the legal frontier and that all passages in the text which conflict with this interpretation, including the reference to the 1918 map, should be ignored. They consider, however, that such an interpretation would not only be at variance with the intentions of the negotiators of the agreement, but would also be unjustifiable as involving the rejection of certain passages in the text, which must have some meaning.

35. A detailed opinion leading up to this view of the Hadda Agreement is contained in a memorandum dated the 26th February, 1938, by the second legal adviser at the Foreign Office, which forms Annex B hereto. It is only necessary to say here that His Majesty's Government are of the opinion that the co-ordinates mentioned in the Hadda Agreement must be regarded, not as specified points on the frontier, but as guides to indicate the position of points on the 1918 map, used in a manner similar to that in which grid co-ordinates would be used on a gridded map; and that in transferring to the ground the points fixed by geographical co-ordinates on the 1918 map they should be transferred to positions as far as possible in the same relation to the physical features as their positions occupied to those features on the 1918 map.

36. If in 1925 a map had been available which correctly represented the topography of the area in question, there would be no difficulty, on this interpretation, in determining the exact location of the intended frontier. The relations between the physical features on the 1918 map are, however, as has been seen, entirely inaccurate, and there might, therefore, be some difficulty, when the time came for determining the exact location of the frontier, in deciding exactly where some of the points indicated by intersections in the Hadda Agreement, or, indeed, any points on the 1918 map, would lie on the ground; similarly, it might be found that lines which are said to be straight in the Hadda Agreement will not be straight when applied to the ground if they are to remain in the same relation to the physical features as on the 1918 map. These difficulties are especially great in the south-eastern area. In this area no interpretation of the Hadda Agreement or appeal to the intentions of its negotiators, however justifiable, is likely to suffice to establish the exact location of the boundary line, since it is impossible, by comparing the physical features as shown on the 1918 map with those on the maps produced as the result of later surveys, to deduce in any detail the intended frontier.

37. In general, however, His Majesty's Government consider that, so far as these difficulties admit, the proper principle to be observed in delimiting the frontier should be that it should be drawn in such a way as to leave those physical features which in the 1918 map appear on the Transjordan side of the frontier within Transjordan, and those which appear on the Saudi Arabian side in the same map within Saudi Arabia; and that, where difficulties arise over the application of this principle, they should be settled by negotiation between the two parties in the light of the geographical information which it is hoped to obtain as a result of the forthcoming survey. In this connexion His Majesty's Government believe that it can justifiably be maintained that the frontier as shown on the map of the Hadda Agreement was intended to leave the Jebel Tubaik massif *as a whole* in Transjordan, just as the same agreement gave the whole of the Wadi Sirhan, with all its projecting edges, to Saudi Arabia; and, although the intentions of the negotiators cannot be set up against the terms of the agreement and the 1918 map, they hope that, if it comes to a question of negotiation after the proposed survey has been carried out, this consideration may be sufficient to secure their main desiderata in many cases where the agreement and the map defy interpretation, and especially in the south-eastern sector.



38. Finally, His Majesty's Government consider that adherence to the principle enumerated in the preceding paragraph is not only the correct course in itself, but is the method (short of the maintenance of the *de facto* frontier) by which the desiderata of Transjordan in respect of the frontier with Nejd as a whole can now best be secured. They have accordingly decided that, if and when, after the proposed survey has taken place, the whole frontier question comes up for discussion with the Saudi Arabian Government, the argument regarding the starting-point of the frontier at the Jebel Anaiza, indicated in Annex B, should be openly admitted and maintained, both on grounds of equity, because it clearly represents the true intentions of the negotiators of the Hadda Agreement, and because to withhold it would render it impossible for His Majesty's Government to use the same argument in respect of the rest of the frontier, this argument being of particular importance for the south-eastern area.

39. A further point which has to be considered is the effect on the *de facto* Transjordan-Hejaz frontier of a redefinition of the frontier between Transjordan and Nejd. Although the Saudi Arabian Government have not hitherto indicated that they wish to alter in any way the first of these frontiers (which it is difficult for them to discuss at all in view of their claim to Aqaba and Maan), and although they have admitted that the forthcoming survey is of the Transjordan-Nejd frontier only, the alignment of the eastern sector of the Hejaz frontier, between the Jebel Tubaik and the point 2 miles south of Mudawara (point F), depends on the position of the southern terminal point of the Nejd frontier (point E). It has already been stated that the *de facto* frontier (*i.e.*, the frontier constituted by the tracks used by Transjordan patrols) lies south of either the "true" or the "literal" frontiers on any interpretation of the position of point E of the Hadda Agreement. Indeed, while it is clear that it is in the interests of His Majesty's Government that point E should be established as far to the south as possible, it seems equally clear that His Majesty's Government will not be able to secure its establishment so far south that a straight line drawn from it to point F would leave all the southerly spurs of the Jebel Tubaik, and with them the southern curve of the Transjordan car track, within Transjordan.

40. The High Commissioner for Palestine and Transjordan and the military authorities in Palestine and Transjordan consider the retention of the car tracks along the Transjordan-Hejaz frontier, as well as the car tracks to the east of the Jebel Tubaik, as of great strategical importance. It would therefore be eminently satisfactory if the Saudi Arabian Government were to let the whole question drop, so that the *de facto* frontier could be retained throughout. There is not much hope of the Saudi Arabian Government allowing the question to rest, but it is to be hoped that, if the remainder of the Transjordan-Nejd frontier can be satisfactorily settled, His Majesty's Government may be able to persuade the Saudi Arabian Government to accept the existing car track to the east of the Jebel Tubaik, and also, wherever the necessity arises, the *de facto* Transjordan-Hejaz frontier, notwithstanding the fact that parts of it lie south of any line which can possibly be established on the basis of Sir Gilbert Clayton's letter. At the same time, it must be recognised that the Saudi Arabian Government are in a strong legal position so far as these last two points are concerned and it is therefore desirable that the search for alternative and more northerly armoured-car tracks from Ferdat to Mudawara, or at any rate for an alternative and more westerly armoured-car track from the northern side of the Jebel Tubaik to the neighbourhood of point J.T.A., should be continued whenever the opportunity offers.

Eastern Department, Foreign Office,
September 1939.

(F)—Postscript.

41. On the outbreak of war on the 3rd September, 1939, it became impossible for the War Office to find survey officers to form part of the party which it was intended should participate on behalf of His Majesty's Government in the survey of the frontier (see paragraph 31). The Colonial Office also stated that it would be impossible for the local authorities to undertake the survey without the

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assistance of an experienced survey officer. It was therefore suggested to Sir Reader Bullard that a visit which he was to pay to Riyadh in the autumn of 1939 might afford a good opportunity to explain to Ibn Saud the difficulty in which His Majesty's Government were placed by the demand, occasioned by the outbreak of war, on the supply of officers with survey experience, and he was instructed to add that, although His Majesty's Government had no intention of withdrawing from the agreement for a joint survey, they hoped that in the circumstances the Saudi Arabian Government would agree to defer the matter until it should be possible to find an officer with the necessary qualifications.

42. After Sir Reader Bullard had explained the situation, Sheikh Yusuf Yasin replied that both the Iraqi and Saudi Arabian Governments were, nevertheless, anxious to continue with the demarcation of their own common frontier (which had been proceeding, with interruptions, for some time), and that a joint Saudi-Iraqi survey party would recommence work on this frontier in the early part of November, beginning from Jadaidat Ar'ar. It was expected that the demarcation of this portion of the frontier would be completed in three or four weeks. The joint Saudi-Iraqi survey would thus arrive (towards the end of November) at Jebel Anaiza (the junction of the frontiers of Saudi Arabia, Iraq and Transjordan), and the Saudi Government therefore requested that a technical commission should be sent from Transjordan to participate in the survey at this point. Similar representations were made on behalf of the Iraqi Government to His Majesty's Ambassador at Bagdad.

43. In view of these requests, arrangements were put in hand for the co-operation of a British official representing the mandatory Government as well as the Government of Transjordan in the work of fixing on the ground the meeting point of the three territories. But on the 10th December news was received from Mr. de Gaury (who had gone to Riyadh as a permanent representative with Ibn Saud of His Majesty's Minister at Jeddah) that the Saudi-Iraqi survey party had ceased work on account of the non-ratification of a frontier agreement between Saudi Arabia and Iraq dealing with tribes on the frontier which had been signed on the 19th May, 1938, and owing to disputes about the site of a place called Muqur an Naam. In the circumstances, it seems unlikely that the demarcation of this frontier will be completed at any early date.

December 20, 1939.



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ANNEX A.

The British-Saudi Arabian (Transjordan-Nejd) Frontier Reconnaissance-Survey Commission.

THE terms of reference of the commission are as follows:—

- (a) The commission shall reconnoitre and survey the ground along, and within a distance of approximately 5 to 15 miles on either side of, the frontier at present observed between Transjordan and Nejd or within such greater or lesser distance on either side of that frontier as circumstances may, in the light of the desiderata set out below, render necessary at different points along that frontier.
- (b) The commission shall identify and fix the true geographical position of all the main physical features which exist in the neighbourhood of the *de facto* frontier.
- (c) The commission shall prepare a map to the scale of 1/500,000 of the area surveyed, on which shall be marked all the physical features identified and fixed.

2. His Majesty's Government in the United Kingdom and the Saudi Arabian Government agree that—

- (i) The area of ground selected for the reconnaissance-survey does not prejudice the question of where any part of the frontier between Saudi Arabia and Transjordan should lie on a proper construction of the Hadda Agreement of 1925.
- (ii) The reconnaissance-survey is intended only to furnish the two Governments with necessary information on which the two Governments themselves can subsequently decide between them where the frontier is to lie, and therefore—
- (iii) The resultant map must show, without unnecessary detail, the true geographical position of any physical feature which the representative of either Government may, for the reason that he considers it is, or may be, relevant to a later consideration of the frontier question, wish to have identified and fixed.

3. The British and Saudi Arabian parties shall meet at the western end of the frontier separating Iraq from Nejd on or about _____ and, having formed themselves into a commission, shall proceed with the duties laid down in these terms of reference with as much expedition as the circumstances allow.

ANNEX B.

Interpretation of the Hadda Agreement of November 2, 1925.

THE interpretation of article 1 of the Hadda Agreement must be approached on the basis of the principles laid down in international decisions and accepted in international practice with regard to the interpretation of international agreements generally. The following three principles are relevant and important in this connexion:—

- (1) The interpretation to be sought must be that which gives effect to the intentions of those who concluded the agreement; these intentions, however, must be deduced from the text, and it is not permissible to have recourse to outside evidence (such as the minutes and records of the preparatory work at which the document was drawn up) unless

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the text is ambiguous and it is not possible to ascertain what was intended without having recourse to evidence outside the text. In any case, it is not possible by means of such outside evidence to adopt an interpretation which contradicts anything in the written text.

- (2) If possible an interpretation must be found which gives effect to every word in the text, and it is only if it is impossible by any means to reconcile, and give meaning to, everything which is written in the text that it is permissible to adopt an interpretation which rejects any part of the text as otiose or inconsistent.
- (3) If, but only if, it is impossible in accordance with principle (2) to find an interpretation which gives a meaning and effect to every word written in the text and it is therefore necessary to disregard certain words, then, in the process of selection of what words to keep and what words to disregard, the principle applies that in a frontier agreement a reference to a definite and well-known point prevails over a reference to a less definite point, such as a little-known place marked on a map or the intersection of geographical co-ordinates.

2. Article 1 of the Hadda Agreement runs:—

"The frontier between Nejd and Transjordan starts in the north-east from the point of intersection of meridian 39° east and parallel 32° north, which marks the termination of the frontier between Nejd and Iraq. . . ."

The same point is referred to here by two descriptions:—

- (i) The end of the frontier between Nejd and Iraq.
- (ii) The intersection of two geographical co-ordinates.

Since of these two descriptions (i) would clearly be the prevailing one if there were any unreconcilable divergence, it is permissible to refer to the Protocol of Uqair of the 2nd December, 1922, concluded three years earlier, to fix the frontier between Nejd and Iraq which fixed this terminal point.

3. The end of article 1 of the Protocol of Uqair reads:—

" . . . to the Jabal Anaiza situated in the neighbourhood of the intersection of latitude 32° east with longitude 39° north where the Iraq-Nejd boundary terminates."

It is to be noted here that Jabal Anaiza is clearly adopted as the terminal point, and the geographical co-ordinates referred to are only added as a rough description of where to find this point. Further, the actual spot at the top of the Jabal Anaiza which is accepted as this terminal point has now been fixed and marked on the ground. There is no doubt, therefore, that in article 1 of the Hadda Agreement the first point is this spot on the top of the Jabal Anaiza which marks the termination of the frontier between Nejd and Iraq.

4. There remains, however, in article 1 of the Hadda Agreement the further description of this point by two geographical co-ordinates; but, if these geographical co-ordinates are to be interpreted as being the true geographical co-ordinates, there is a conflict, because they do not intersect at this point on the top of the Jabal Anaiza, but at a point some distance away. These words, however, must not be rejected as otiose or inconsistent unless there is no way under which they can be reconciled, and there is here a way by which the words can be reconciled.

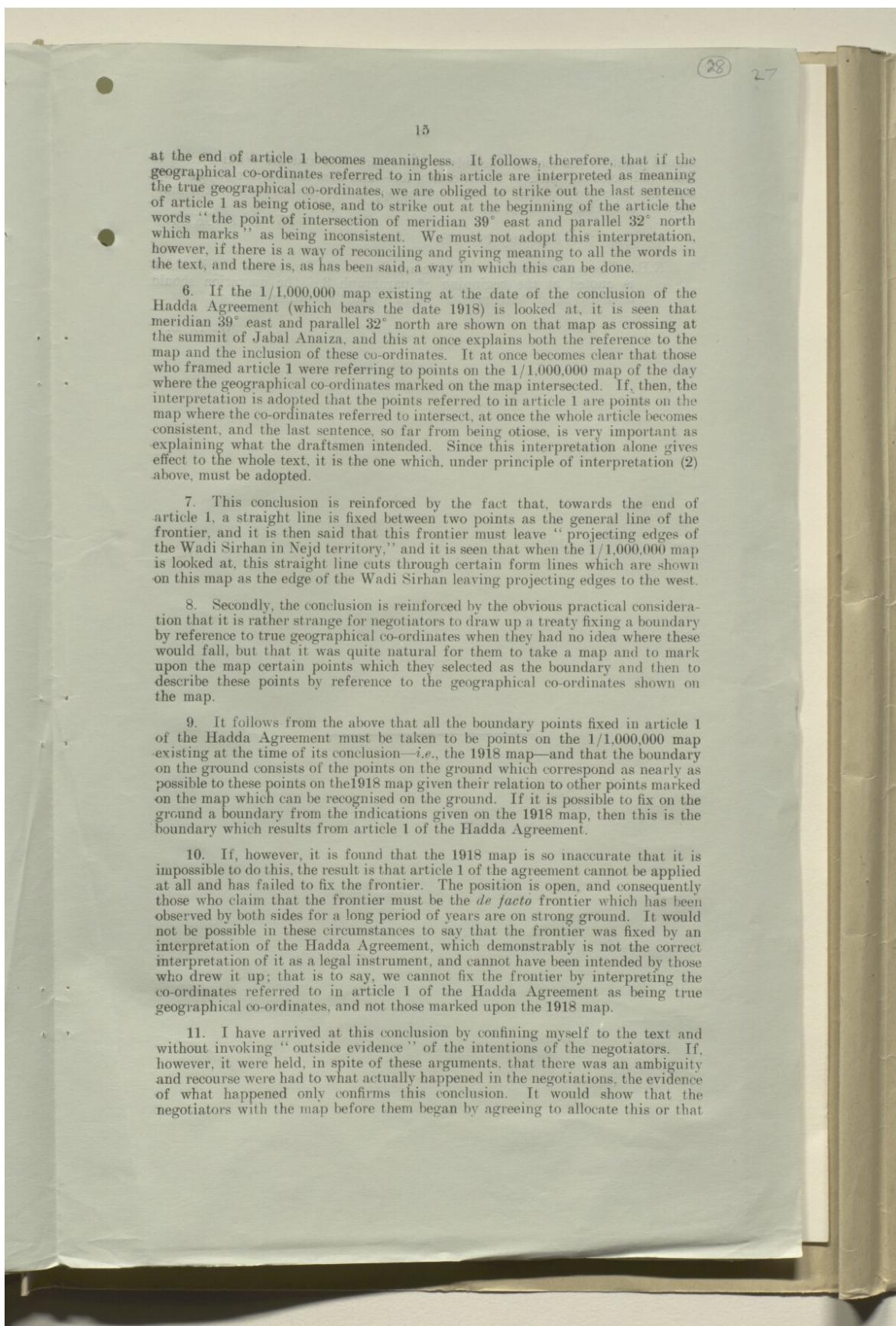
5. At the end of article 1 the following sentence occurs:—

"The map referred to in this agreement is that known as the international Asia map 1/1,000,000."

and, since this sentence occurs, some meaning and effect must be given to it. In fact, there is no other reference in this agreement to a map at all. The whole of article 1 from beginning to end consists in a series of points fixed by geographical co-ordinates, and if these geographical co-ordinates were intended to be the true geographical co-ordinates and the points to be wherever they intersect, there is no need for any reference to any map whatever and the sentence



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at the end of article 1 becomes meaningless. It follows, therefore, that if the geographical co-ordinates referred to in this article are interpreted as meaning the true geographical co-ordinates, we are obliged to strike out the last sentence of article 1 as being otiose, and to strike out at the beginning of the article the words "the point of intersection of meridian 39° east and parallel 32° north which marks" as being inconsistent. We must not adopt this interpretation, however, if there is a way of reconciling and giving meaning to all the words in the text, and there is, as has been said, a way in which this can be done.

6. If the 1/1,000,000 map existing at the date of the conclusion of the Hadda Agreement (which bears the date 1918) is looked at, it is seen that meridian 39° east and parallel 32° north are shown on that map as crossing at the summit of Jabal Anaiza, and this at once explains both the reference to the map and the inclusion of these co-ordinates. It at once becomes clear that those who framed article 1 were referring to points on the 1/1,000,000 map of the day where the geographical co-ordinates marked on the map intersected. If, then, the interpretation is adopted that the points referred to in article 1 are points on the map where the co-ordinates referred to intersect, at once the whole article becomes consistent, and the last sentence, so far from being otiose, is very important as explaining what the draftsmen intended. Since this interpretation alone gives effect to the whole text, it is the one which, under principle of interpretation (2) above, must be adopted.

7. This conclusion is reinforced by the fact that, towards the end of article 1, a straight line is fixed between two points as the general line of the frontier, and it is then said that this frontier must leave "projecting edges of the Wadi Sirhan in Nejd territory," and it is seen that when the 1/1,000,000 map is looked at, this straight line cuts through certain form lines which are shown on this map as the edge of the Wadi Sirhan leaving projecting edges to the west.

8. Secondly, the conclusion is reinforced by the obvious practical consideration that it is rather strange for negotiators to draw up a treaty fixing a boundary by reference to true geographical co-ordinates when they had no idea where these would fall, but that it was quite natural for them to take a map and to mark upon the map certain points which they selected as the boundary and then to describe these points by reference to the geographical co-ordinates shown on the map.

9. It follows from the above that all the boundary points fixed in article 1 of the Hadda Agreement must be taken to be points on the 1/1,000,000 map existing at the time of its conclusion—*i.e.*, the 1918 map—and that the boundary on the ground consists of the points on the ground which correspond as nearly as possible to these points on the 1918 map given their relation to other points marked on the map which can be recognised on the ground. If it is possible to fix on the ground a boundary from the indications given on the 1918 map, then this is the boundary which results from article 1 of the Hadda Agreement.

10. If, however, it is found that the 1918 map is so inaccurate that it is impossible to do this, the result is that article 1 of the agreement cannot be applied at all and has failed to fix the frontier. The position is open, and consequently those who claim that the frontier must be the *de facto* frontier which has been observed by both sides for a long period of years are on strong ground. It would not be possible in these circumstances to say that the frontier was fixed by an interpretation of the Hadda Agreement, which demonstrably is not the correct interpretation of it as a legal instrument, and cannot have been intended by those who drew it up; that is to say, we cannot fix the frontier by interpreting the co-ordinates referred to in article 1 of the Hadda Agreement as being true geographical co-ordinates, and not those marked upon the 1918 map.

11. I have arrived at this conclusion by confining myself to the text and without invoking "outside evidence" of the intentions of the negotiators. If, however, it were held, in spite of these arguments, that there was an ambiguity and recourse were had to what actually happened in the negotiations, the evidence of what happened only confirms this conclusion. It would show that the negotiators with the map before them began by agreeing to allocate this or that



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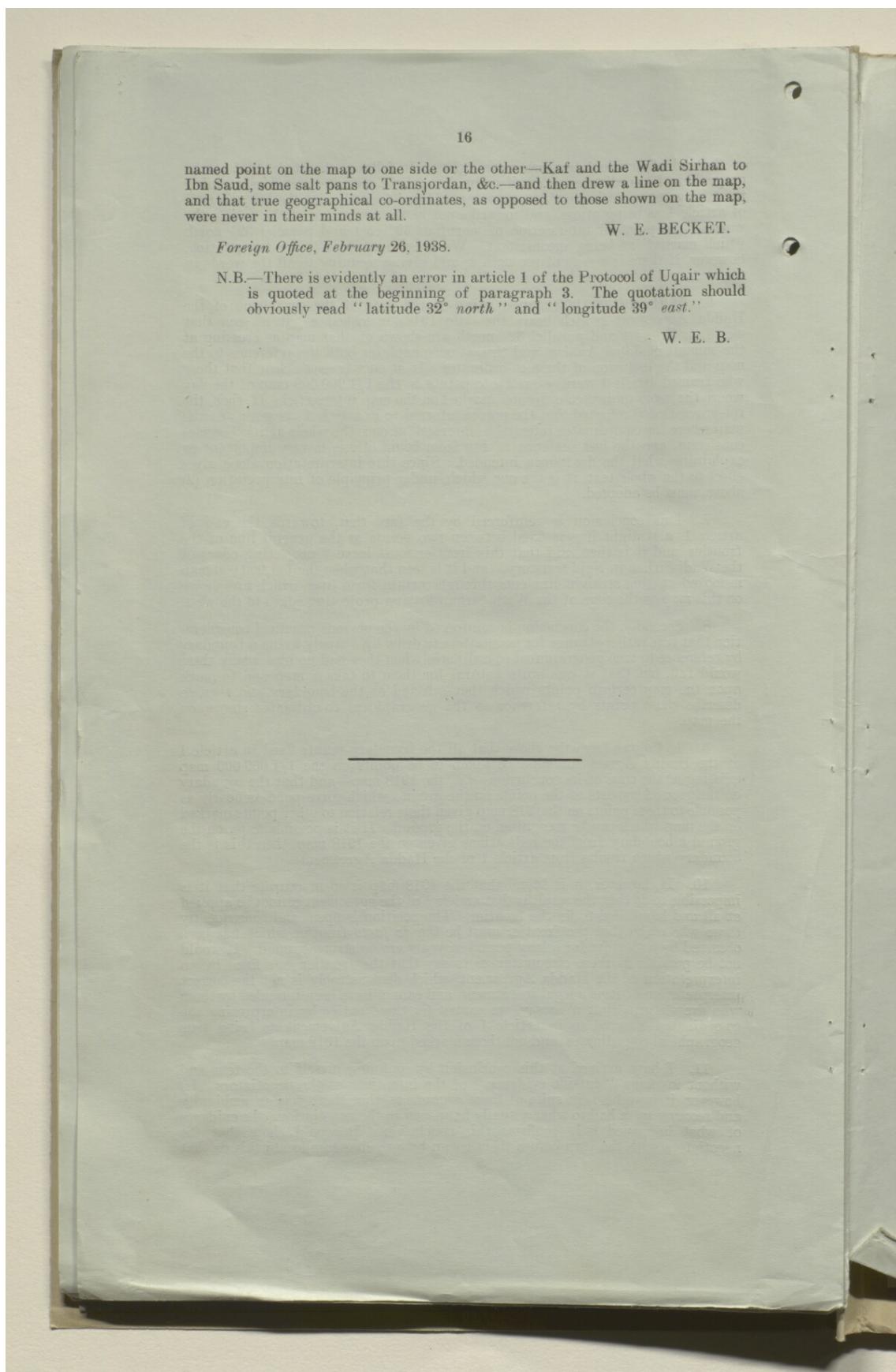
named point on the map to one side or the other—Kaf and the Wadi Sirhan to Ibn Saud, some salt pans to Transjordan, &c.—and then drew a line on the map, and that true geographical co-ordinates, as opposed to those shown on the map, were never in their minds at all.

W. E. BECKET.

Foreign Office, February 26, 1938.

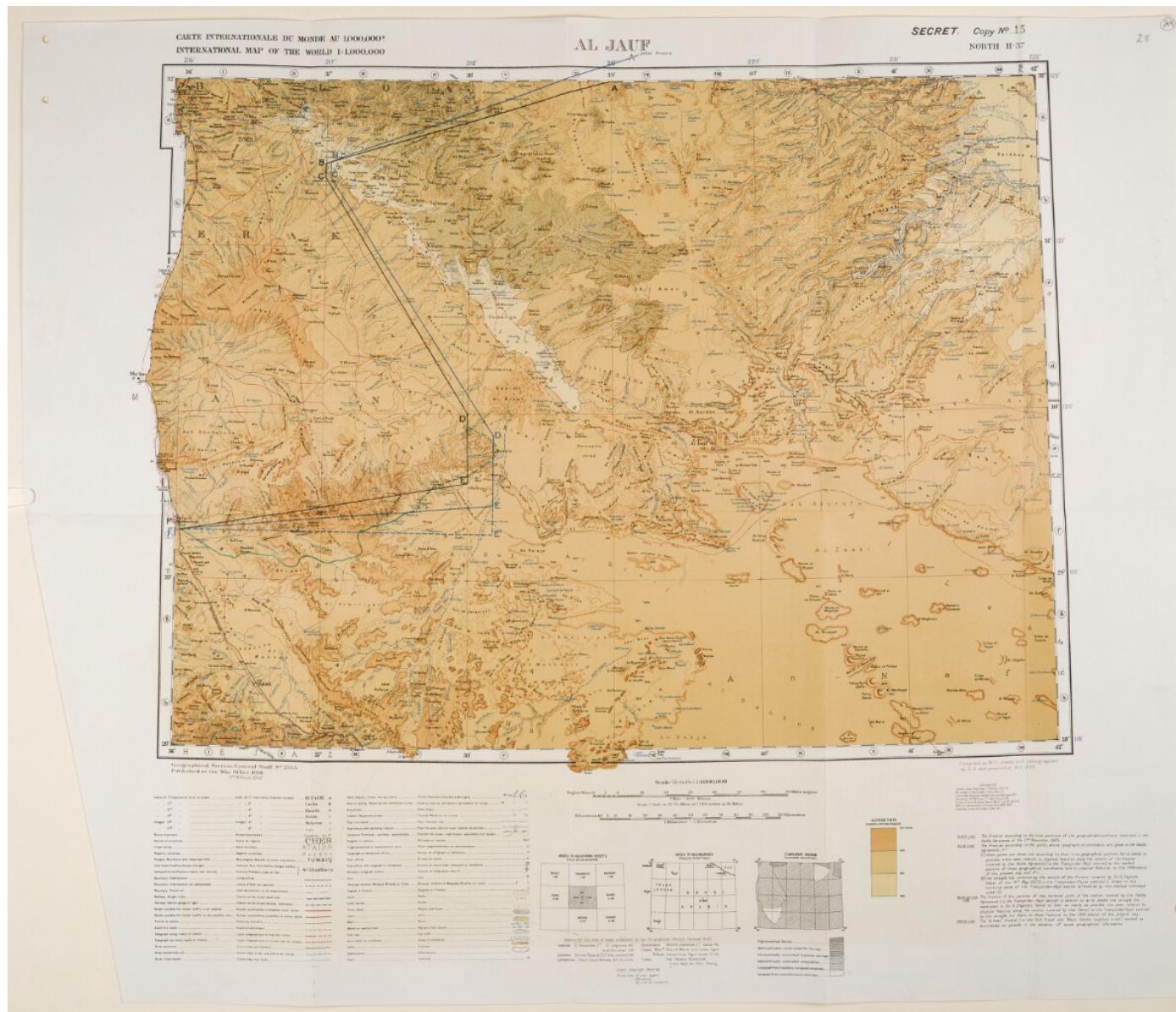
N.B.—There is evidently an error in article 1 of the Protocol of Uqair which is quoted at the beginning of paragraph 3. The quotation should obviously read "latitude 32° north" and "longitude 39° east."

W. E. B.



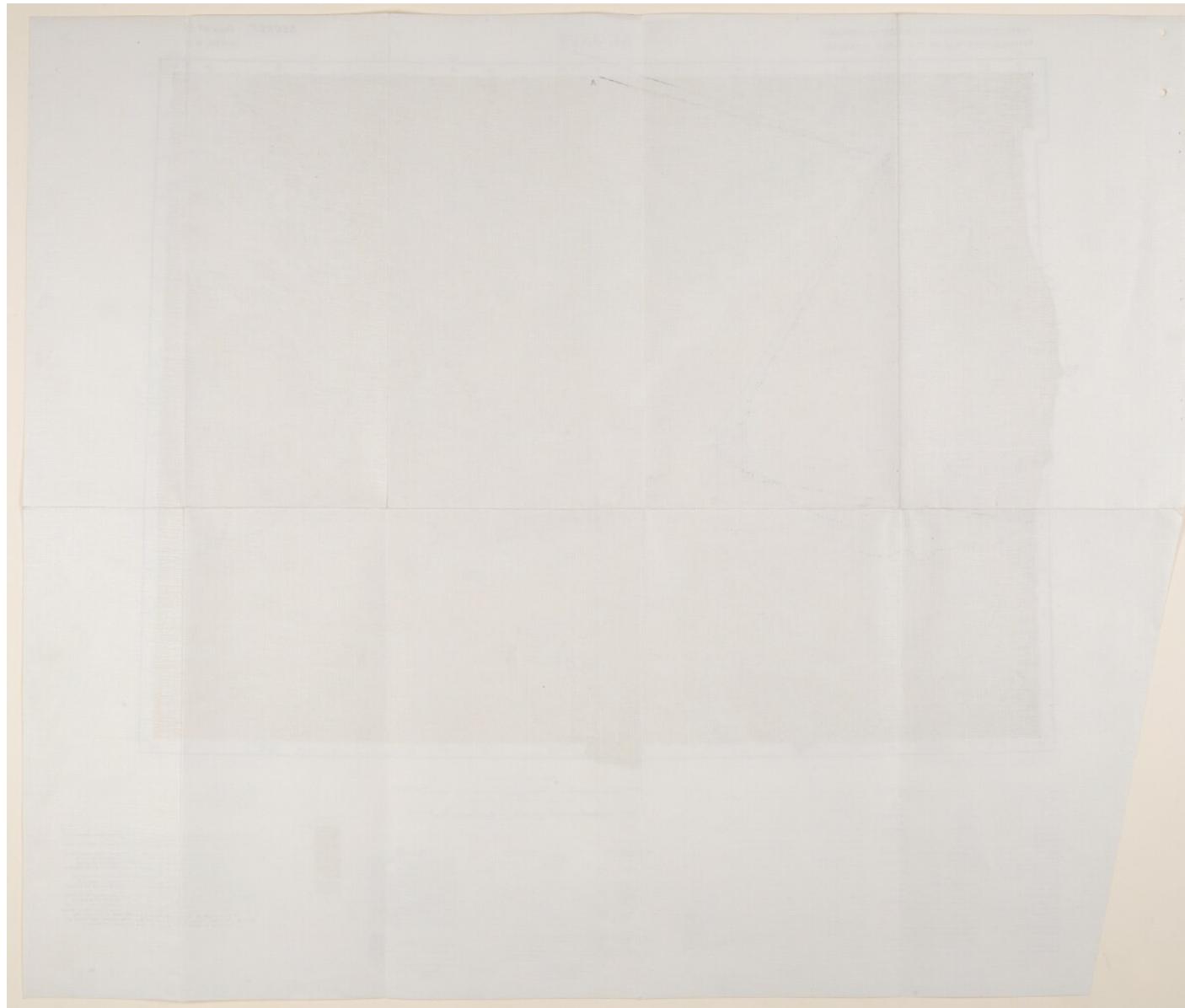


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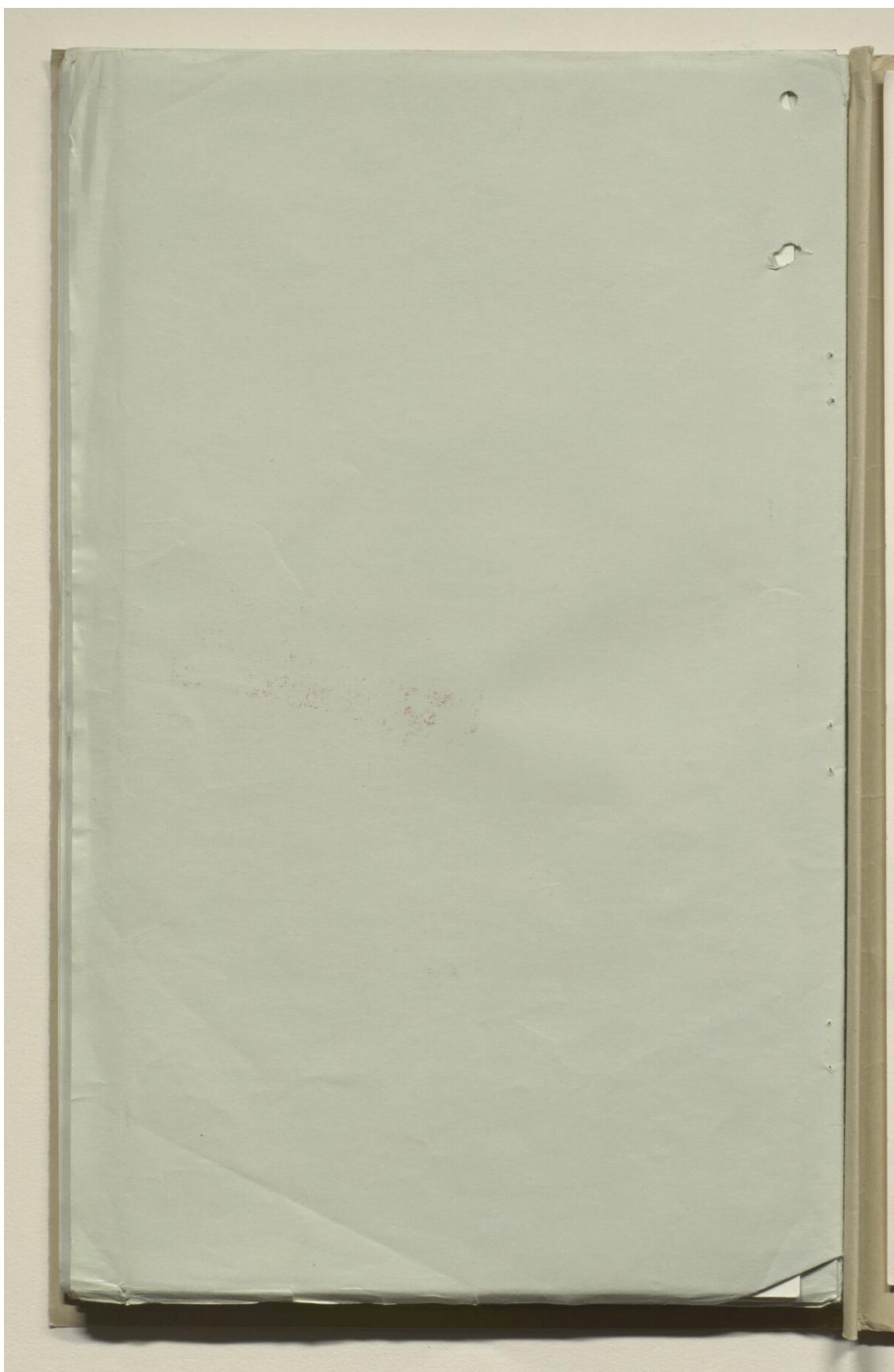


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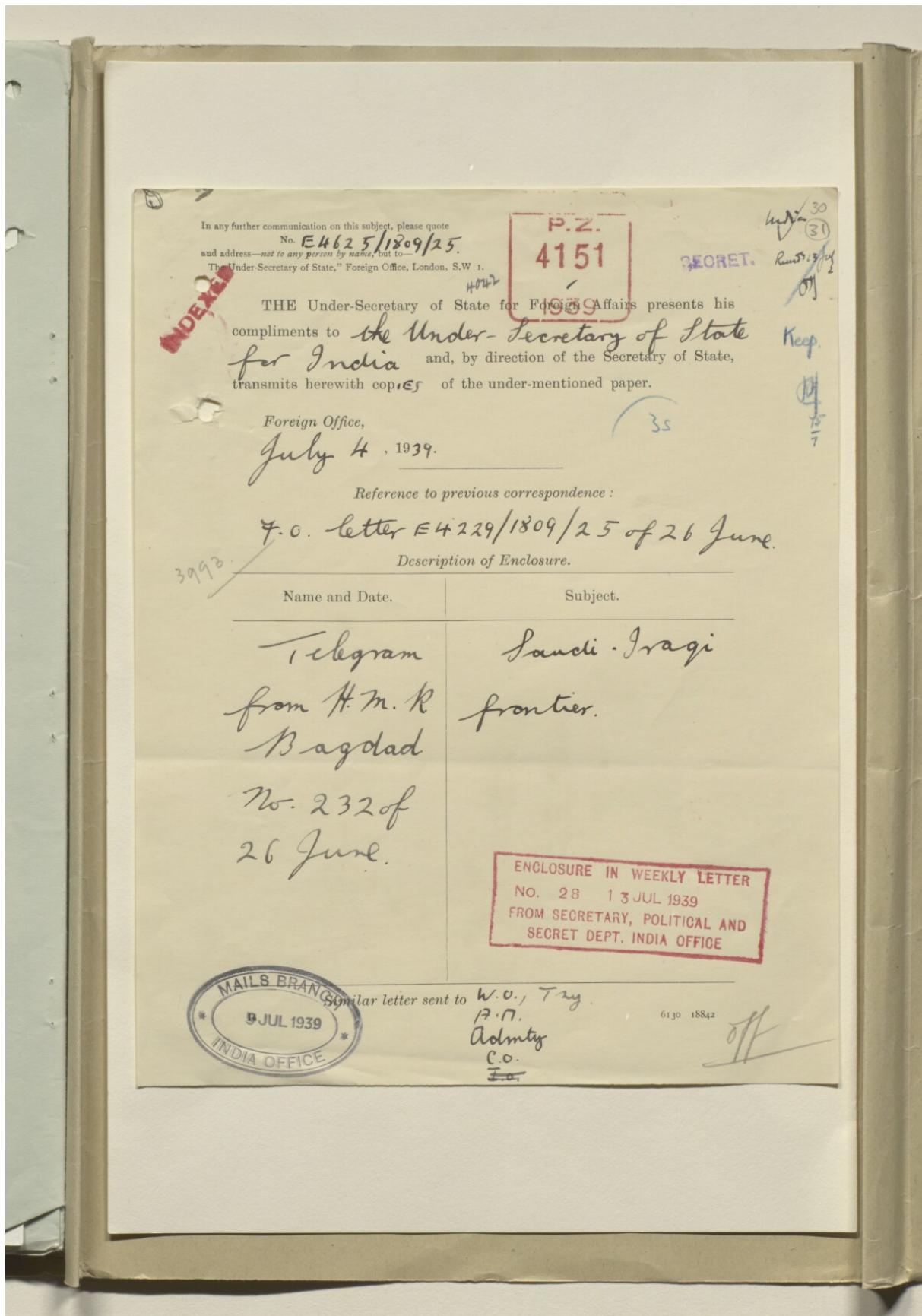


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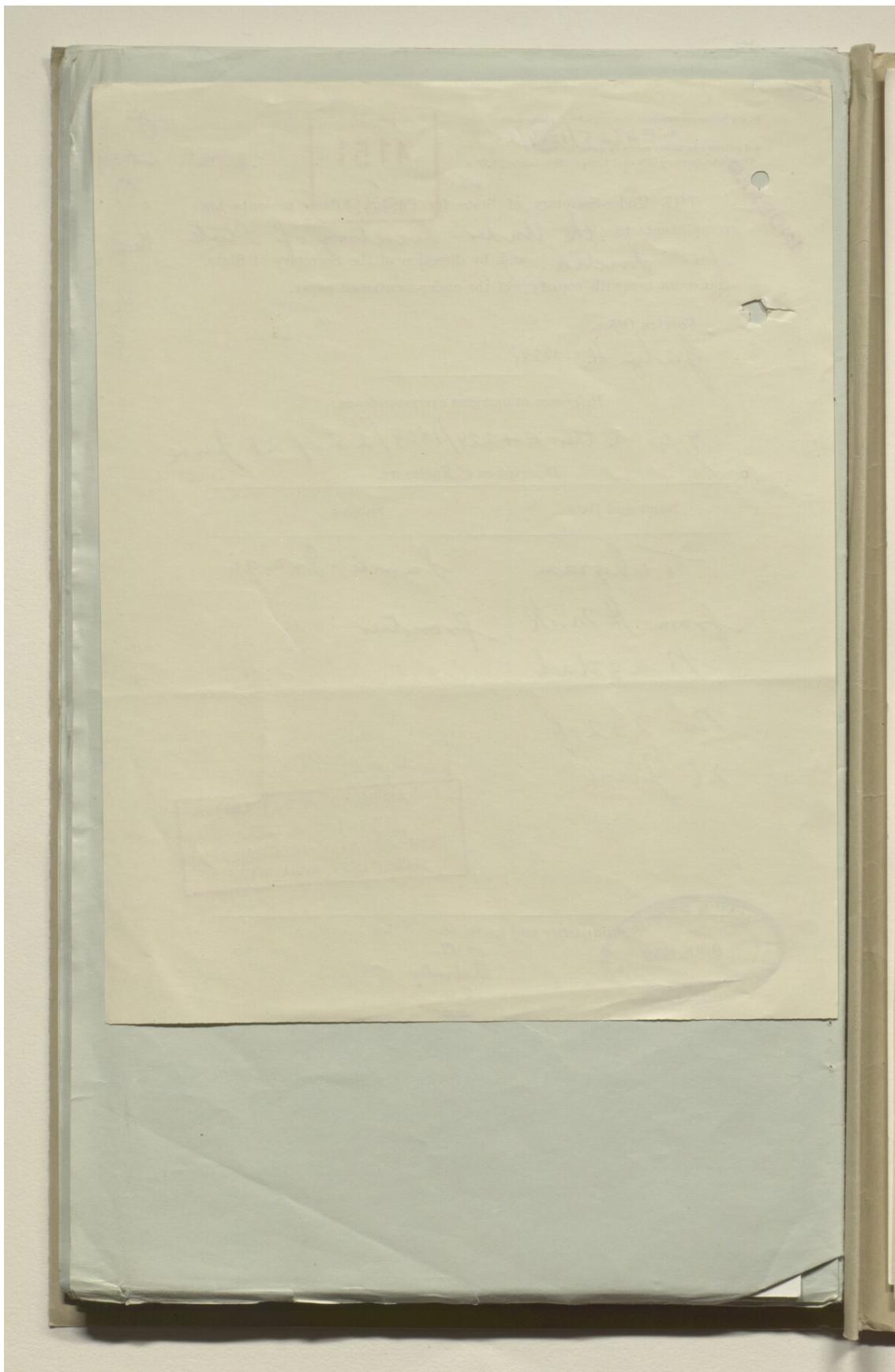


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1939

From IRAQ.

Decode and Decypher. Sir B. Newton (Bagdad).
June 26th 1939.

D. 6.45 p.m. June 26th 1939.

R. 9.30 a.m. June 27th 1939.

No. 252.

~~~~~

"R" begins.

3993 Your telegram No. 224.

I sent oriental secretary on June 24th to explain the position to the Prime Minister who had reverted to the matter the previous evening in view of imminence of departure of Minister for Foreign Affairs to Riyadh.

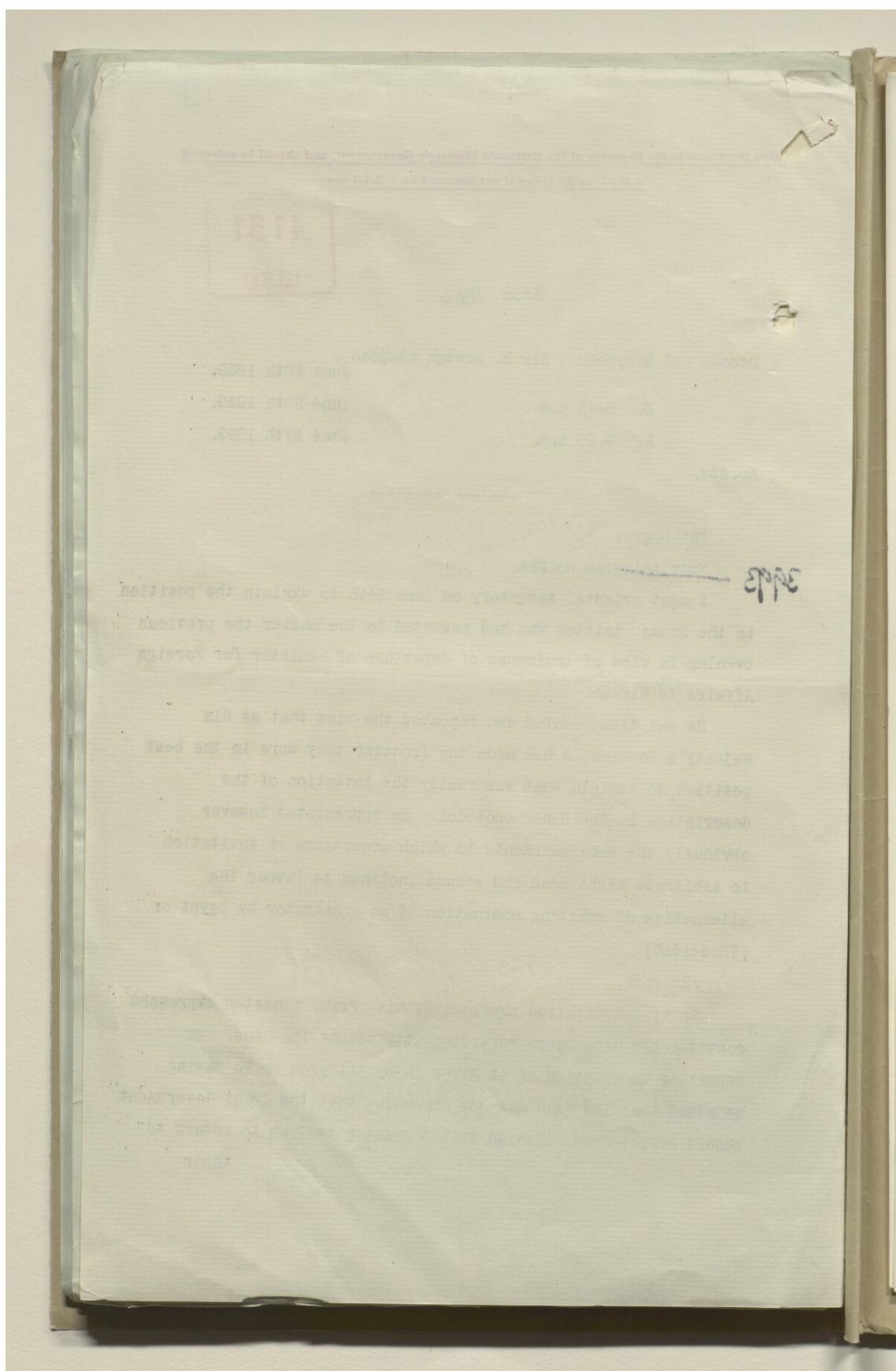
He was disappointed and repeated the view that as His Majesty's Government had made the frontier they were in the best position to explain what was really the intention of the description in the Uquar protocol. He appreciated however obviously the embarrassments to which acceptance of invitation to arbitrate might lead and seemed inclined to favour the alternative of inviting nomination of an arbitrator by Egypt or [?Hodeidah].

"R" ends.

In my conversation previous evening Prime minister expressed considerable uneasiness regarding attitude of Ibn Saud. In repeating description of it given in my telegram No. 73 Saving he added that Ibn Saud was now demanding that the Iraqi Government should compel Saudi Arabian tribes grazing in Iraq to return to their



مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٦٤/١١٢]





مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
(٣٣) [٦٥/١١٢]

(٣٣) ٣٢

2.

their own country to be taxed or alternatively that the Iraqi Government should themselves collect these taxes and remit them to Saudi Arabian Government. I understand that such a claim is not novel but the Prime Minister explained that apart from the impossibility of Iraqi Government agreeing to the collection of taxes for another state they had even for themselves ceased collection of direct taxes from Nomad tribes.

This state of affairs in Iraq has probably tempted Saudi Arabian tribes to cross the border in unusually large numbers to escape Ibn Saud's tax collectors and has thus provoked this new Saudi Arabian demand.

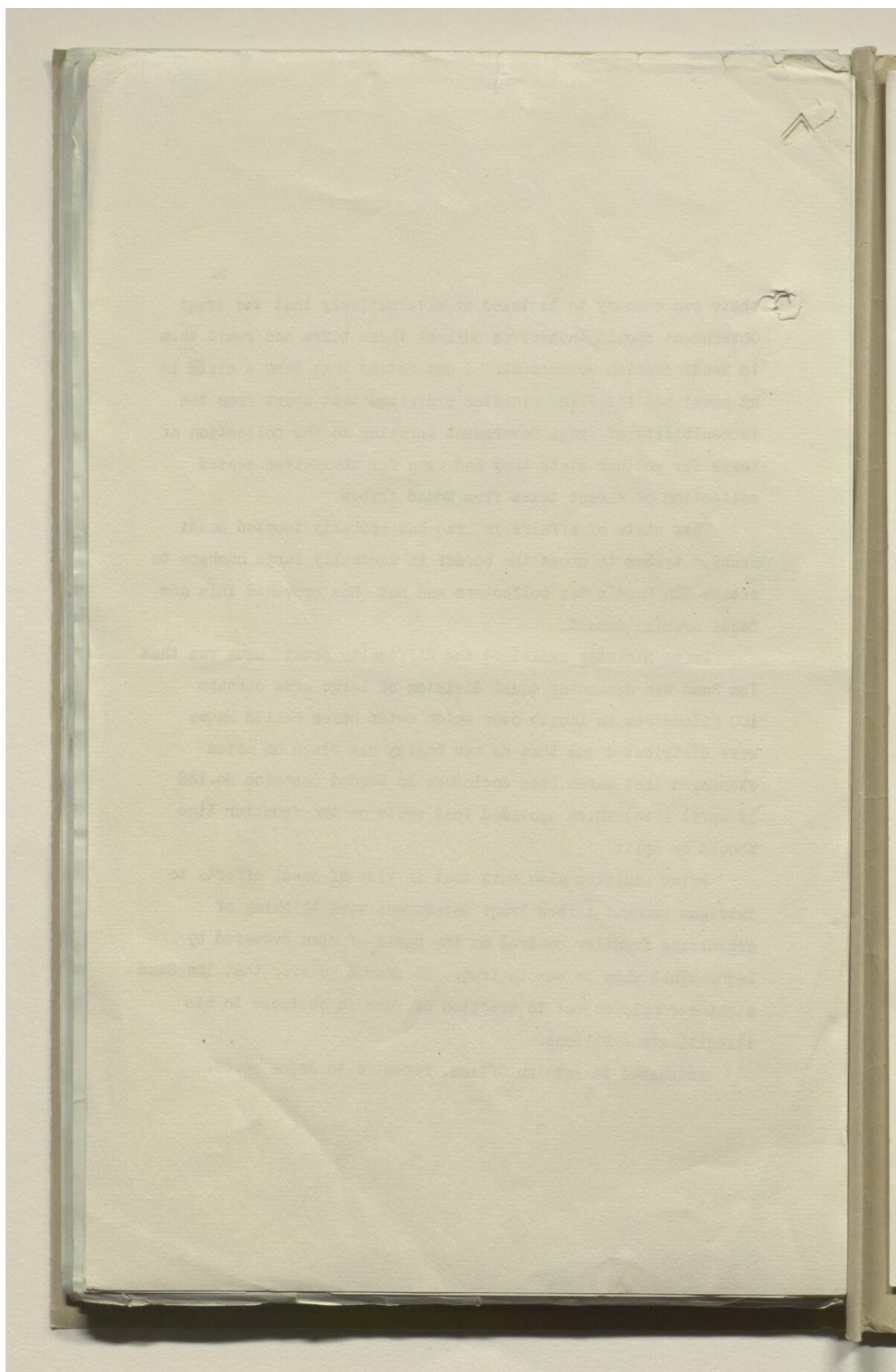
Prime Minister explained the difficulty about Muqua was that Ibn Saud was demanding equal division of large area perhaps 100 kilometres in length over which water holes called Muqua were distributed and that he was basing his claim on notes exchanged last March (see enclosure to Bagdad despatch No.132 of April 18th) which provided that wells on the frontier line should be split.

Prime Minister also said that in view of Saudi efforts to intrigue amongst tribes Iraqi Government were thinking of organising frontier control on the basis of plan prepared by Major Glubb when he was in Iraq. He feared however that Ibn Saud might strongly object to erection of such an obstacle to his illegitimate ambitions.

Addressed to Foreign Office, repeated to Jeddah No.32.

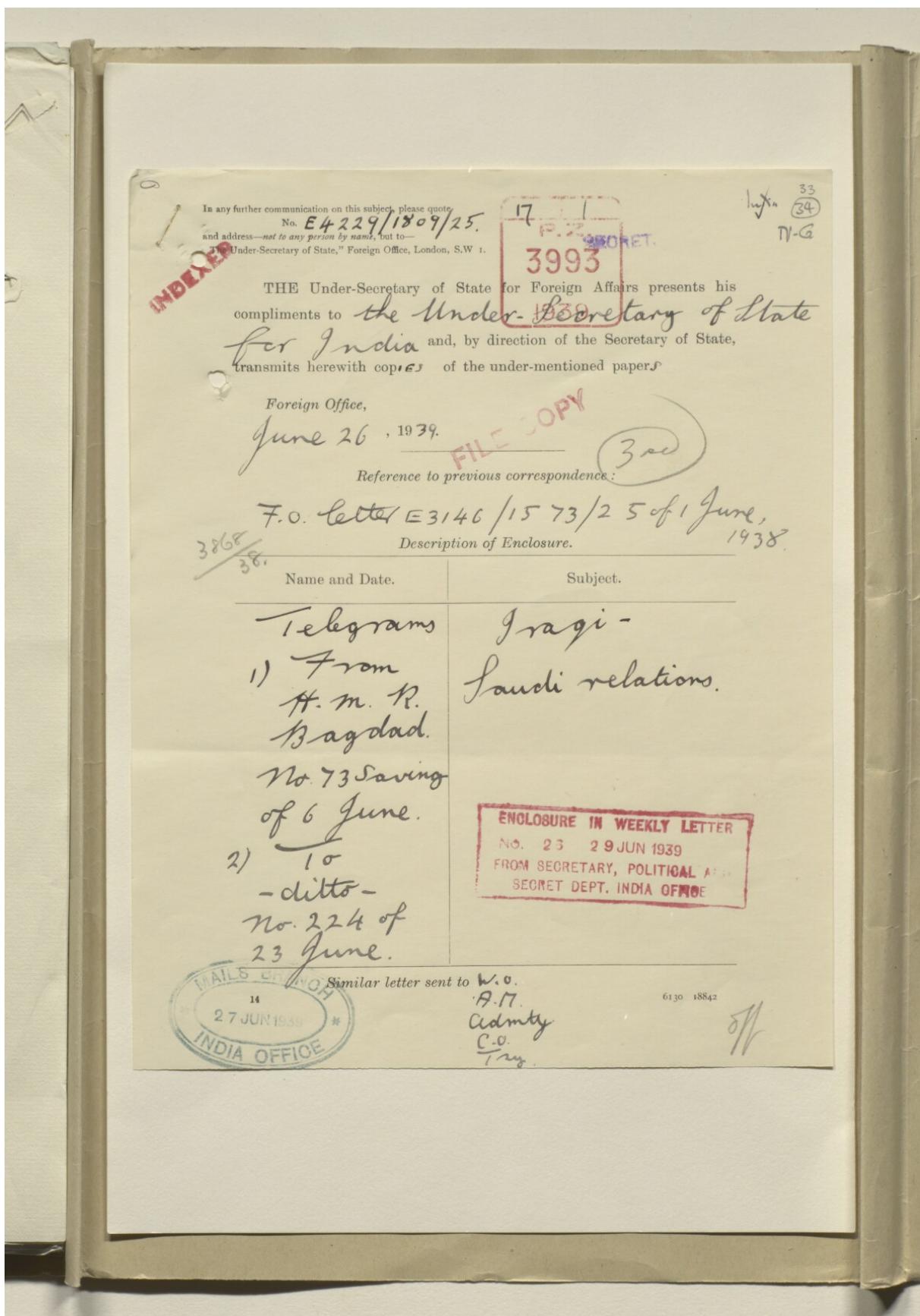


مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٣٣٦ / ٦٦]



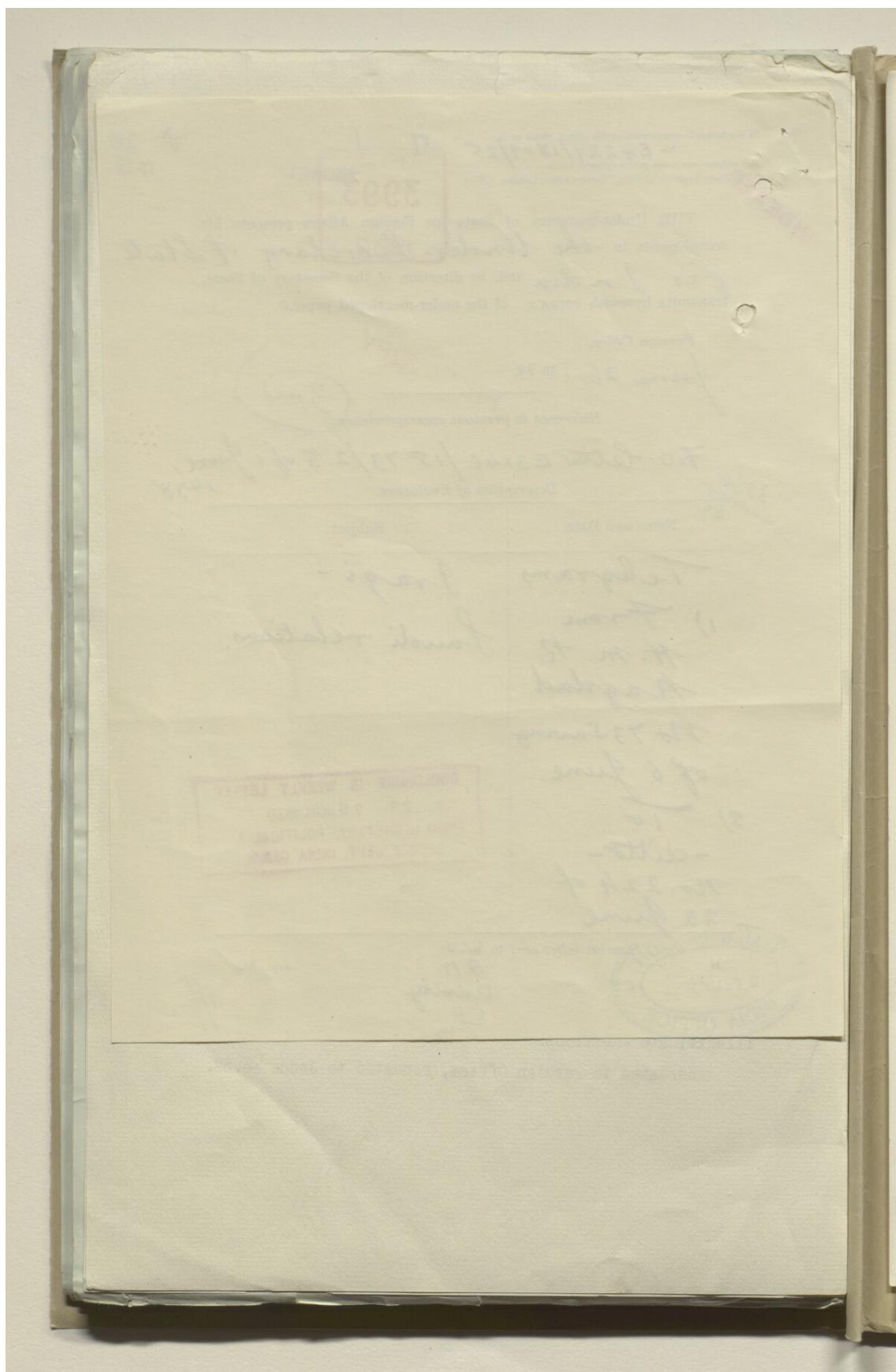


مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
 (٦٧/١١٢) [٣٤]





مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٦٨/١١٢]





مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."

(٦٩/١١٢) [٣٥]

34

(35)

This Document is the Property of His Britannic Majesty's Government, and should be returned  
to the Foreign Office if not required for official use.]

From: IRAQ.

Decypher. Sir B. Newton (Bagdad)  
6th June 1939.

D. 6th June 1939.

R. 12th June 1939.

No. 73. SAVING.

oooooooooooooooooooo

Prime Minister called on me on June 5th and spoke to me of deterioration of Iraq's relations with Saudi Arabia.

He intimated that Ibn Saud was jealous of dominant influence which Iraq was gaining in Arabian affairs and disturbed by rumours in circulation that a Hashimite Prince would soon become King of Syria. He was also annoyed that agreements concluded in May 1938 (see Bagdad telegram No. 37 Saving) had not been ratified. (Prime Minister admitted that his government regarded agreement concerning nationality of border tribes as being unfair to Iraq and wanted a modification). Finally Ibn Saud was showing great obstinacy about the demarcation of frontier in neighbourhood of Muqur (see letter to Mr. Baxter of March 16). He might think recent events had weakened Iraqi Government and that moment was therefore favourable to press unreasonable demands perhaps under threat of tribal trouble.

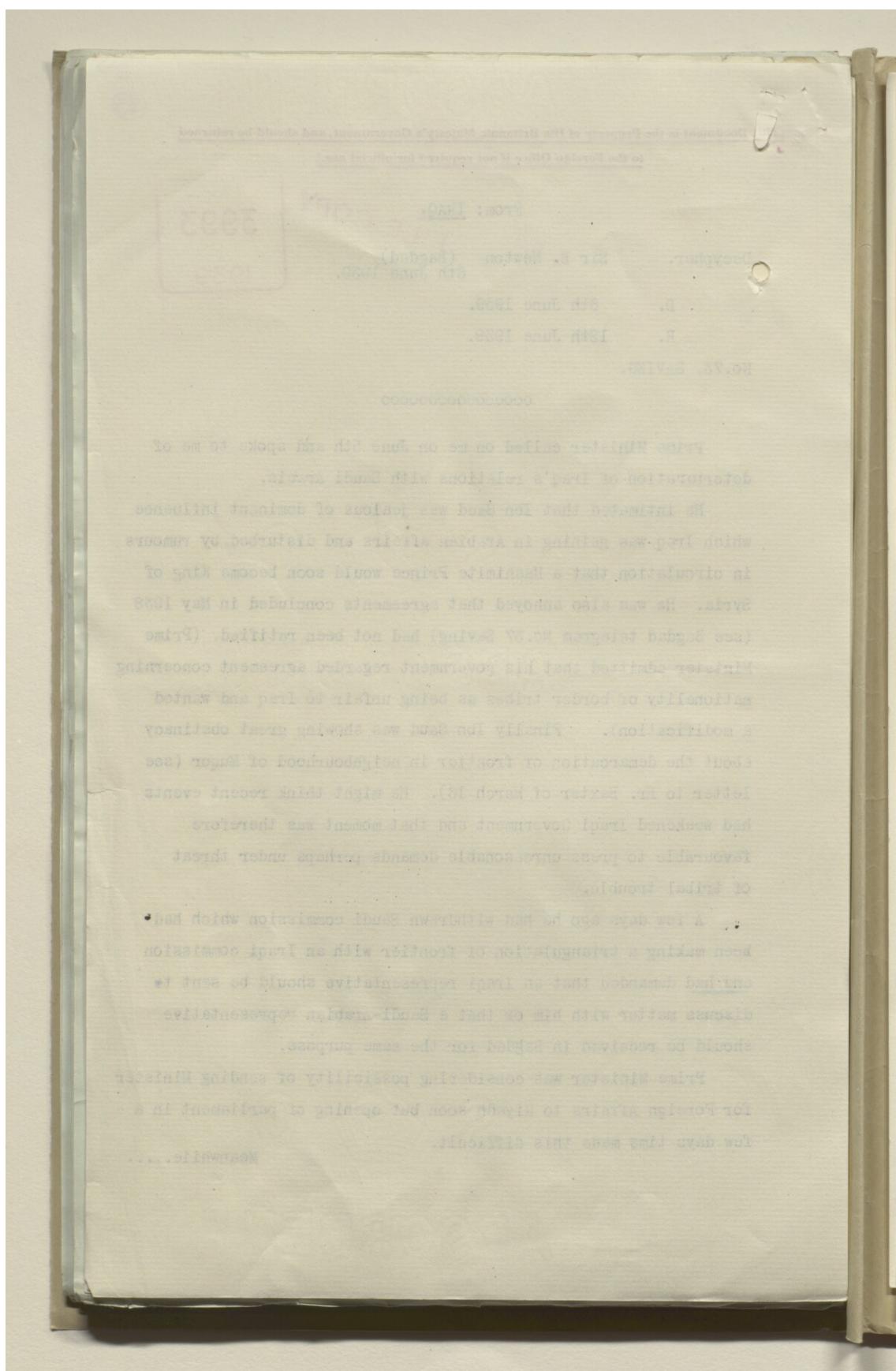
A few days ago he had withdrawn Saudi commission which had been making a triangulation of frontier with an Iraqi commission and had demanded that an Iraqi representative should be sent to discuss matter with him or that a Saudi-Arabian representative should be received in Bagdad for the same purpose.

Prime Minister was considering possibility of sending Minister for Foreign Affairs to Riyadh soon but opening of parliament in a few days time made this difficult.

Meanwhile.....



مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٣٥/٧٠] [١١٢]





مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٣٦] و [٧١/١١٢]

35  
36

2.

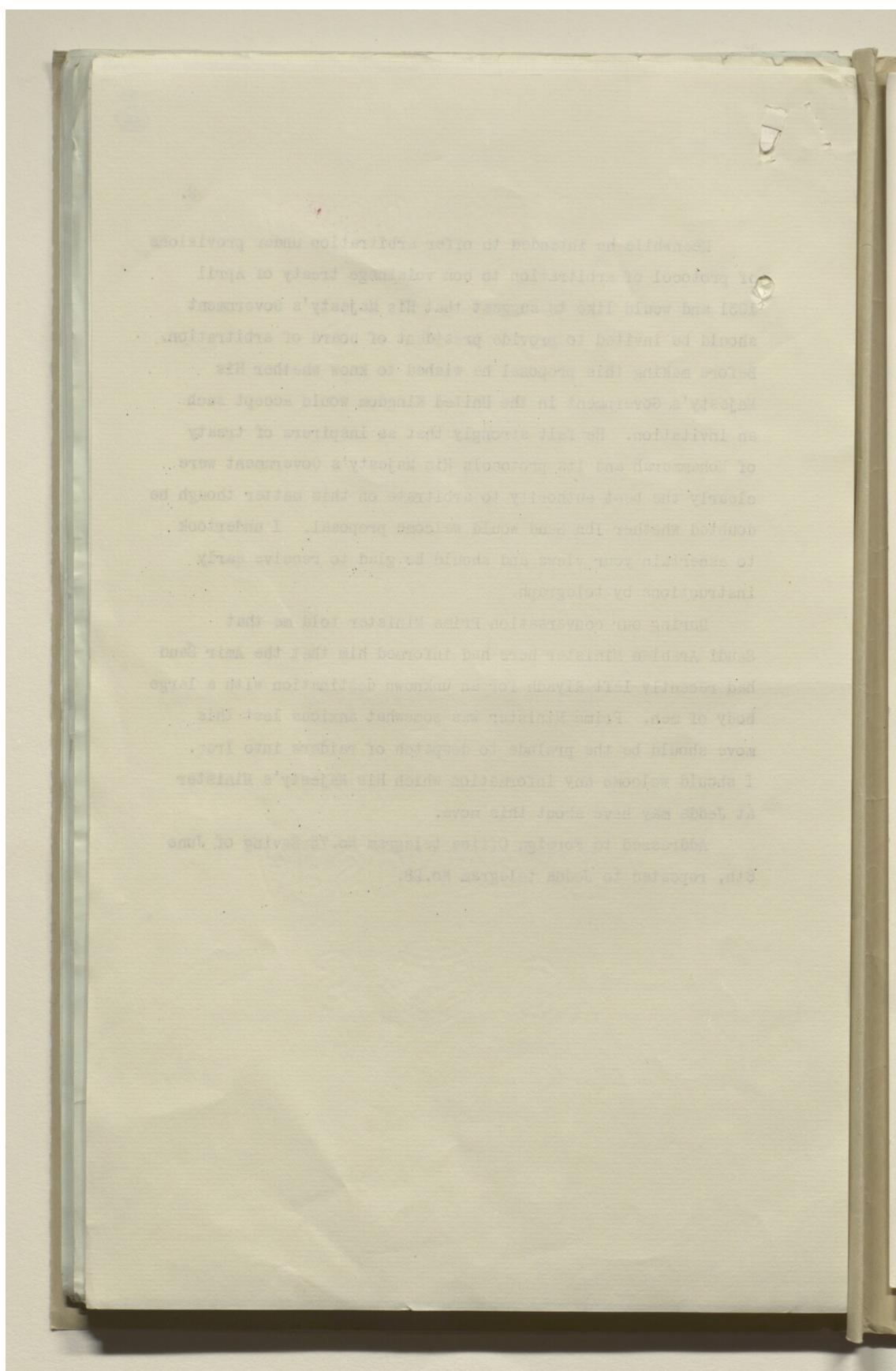
Meanwhile he intended to offer arbitration under provisions of protocol of arbitration to bon voisinage treaty of April 1931 and would like to suggest that His Majesty's Government should be invited to provide president of board of arbitration. Before making this proposal he wished to know whether His Majesty's Government in the United Kingdom would accept such an invitation. He felt strongly that as inspirers of treaty of Mohammerah and its protocols His Majesty's Government were clearly the best authority to arbitrate on this matter though he doubted whether Ibn Saud would welcome proposal. I undertook to ascertain your views and should be glad to receive early instructions by telegraph.

During our conversation Prime Minister told me that Saudi Arabian Minister here had informed him that the Amir Saud had recently left Riyadh for an unknown destination with a large body of men. Prime Minister was somewhat anxious lest this move should be the prelude to despatch of raiders into Iraq. I should welcome any information which His Majesty's Minister at Jeddah may have about this move.

Addressed to Foreign Office telegram No.73 Saving of June 6th, repeated to Jeddah telegram No.28.



مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٣٦٦] [٧٢/١١٢]





مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."

(١١٢/٧٣) [٣٧]

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returned to the Foreign Office if not required for official use.]

36

37

(E 4229/1809/25).

To IRAQ.

FILE COPY

FILE  
3993

1939

Cypher telegram to Sir B. Newton (Bagdad).

Foreign Office, 23rd June, 1939. 4.45 p.m.

No. 224.

.....

Your telegram No. 73 Saving [of June 6th: Saudi-Arabian-Iraqi relations].

Although it might be difficult for His Majesty's Government to refuse to provide a president for proposed board of arbitration if pressed by both parties, I hope that the parties will in fact look elsewhere.

2. Even if Ibn Saud were to join Iraqi Government in asking for British president, it might be widely feared in Saudi-Arabia that owing to the Anglo-Iraqi alliance the president would be inclined to take the Iraqi side, and suspicion that this feeling might be present in Ibn Saud's mind would put the British president in an unenviable position.

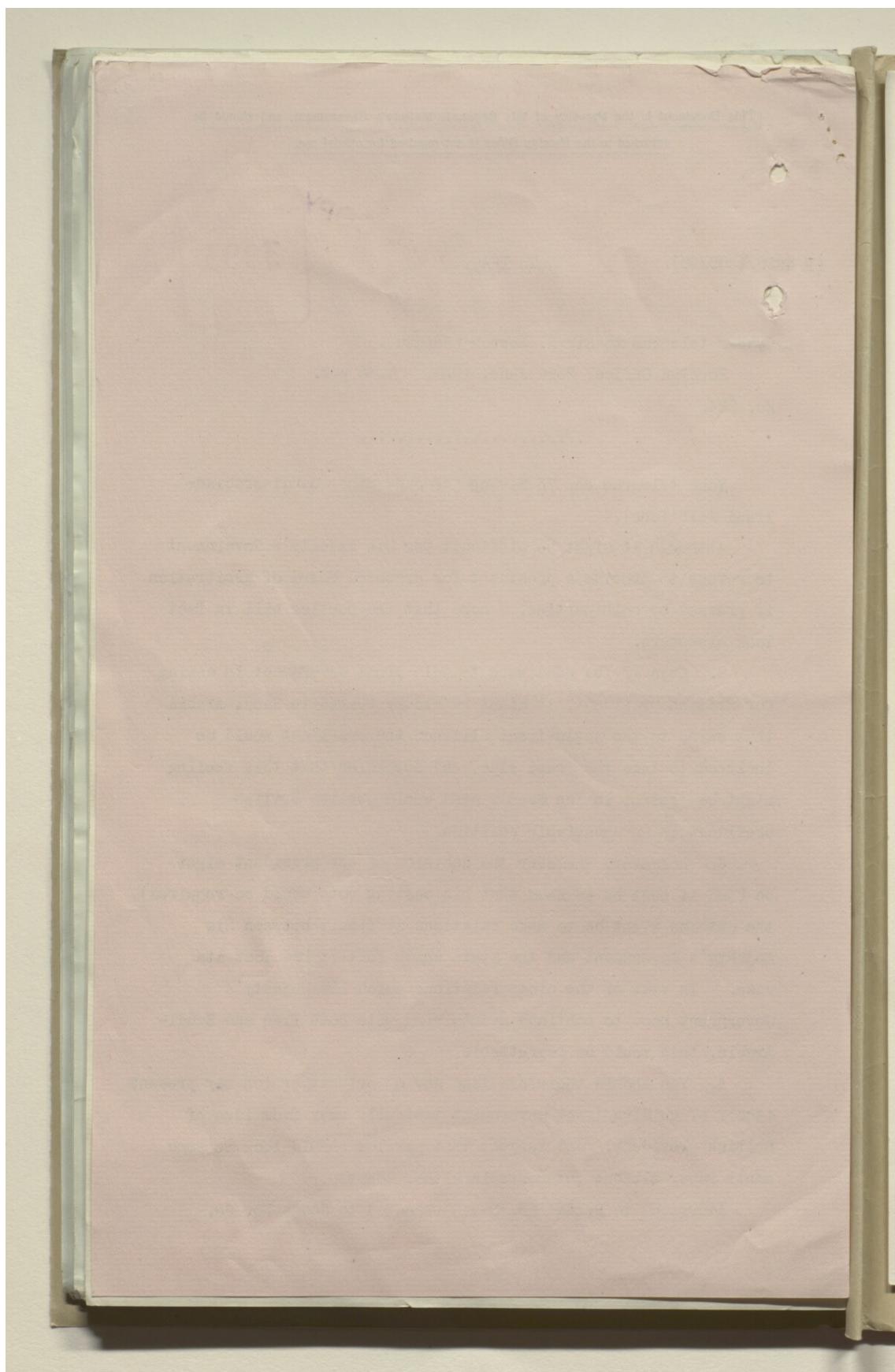
3. Moreover, whatever the decision of the president might be (and it must be assumed that his casting vote would be required), the outcome might be to make relations difficult between His Majesty's Government and the State which felt it had lost its case. In view of the close relations which His Majesty's Government hope to continue maintaining with both Iraq and Saudi-Arabia, this would be regrettable.

4. You should therefore take any opportunity which may present itself of guiding Iraqi Government tactfully away from idea of British president: and suggest that parties should look to some small Power without interests in either country.

Addressed to Bagdad No. 224; repeated to Jeddah No. 98.

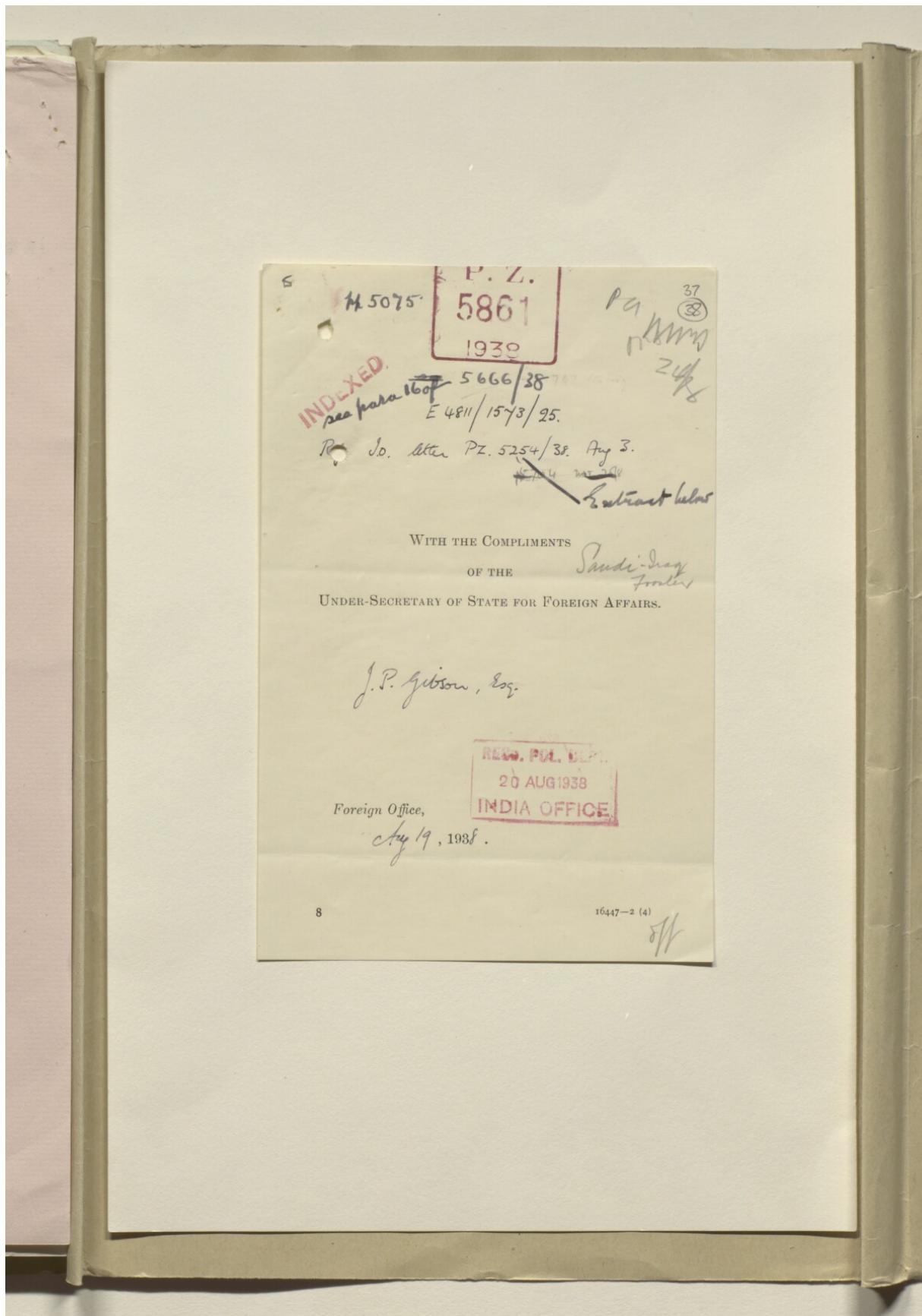


مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية، ترسيم الحدود."  
[٣٧٤ / ١١٢]



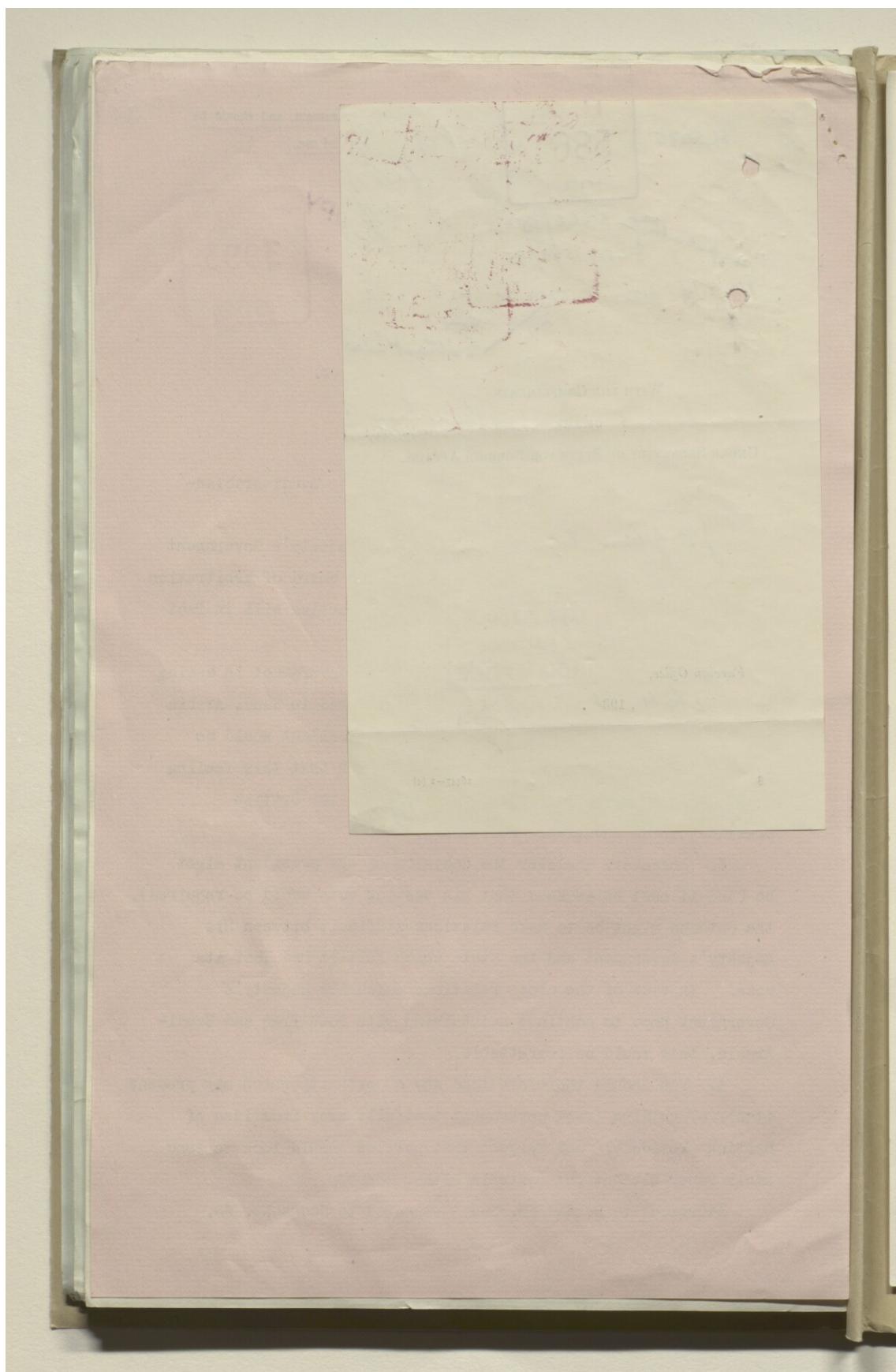


مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٣٨] و [٧٥ / ١١٢]



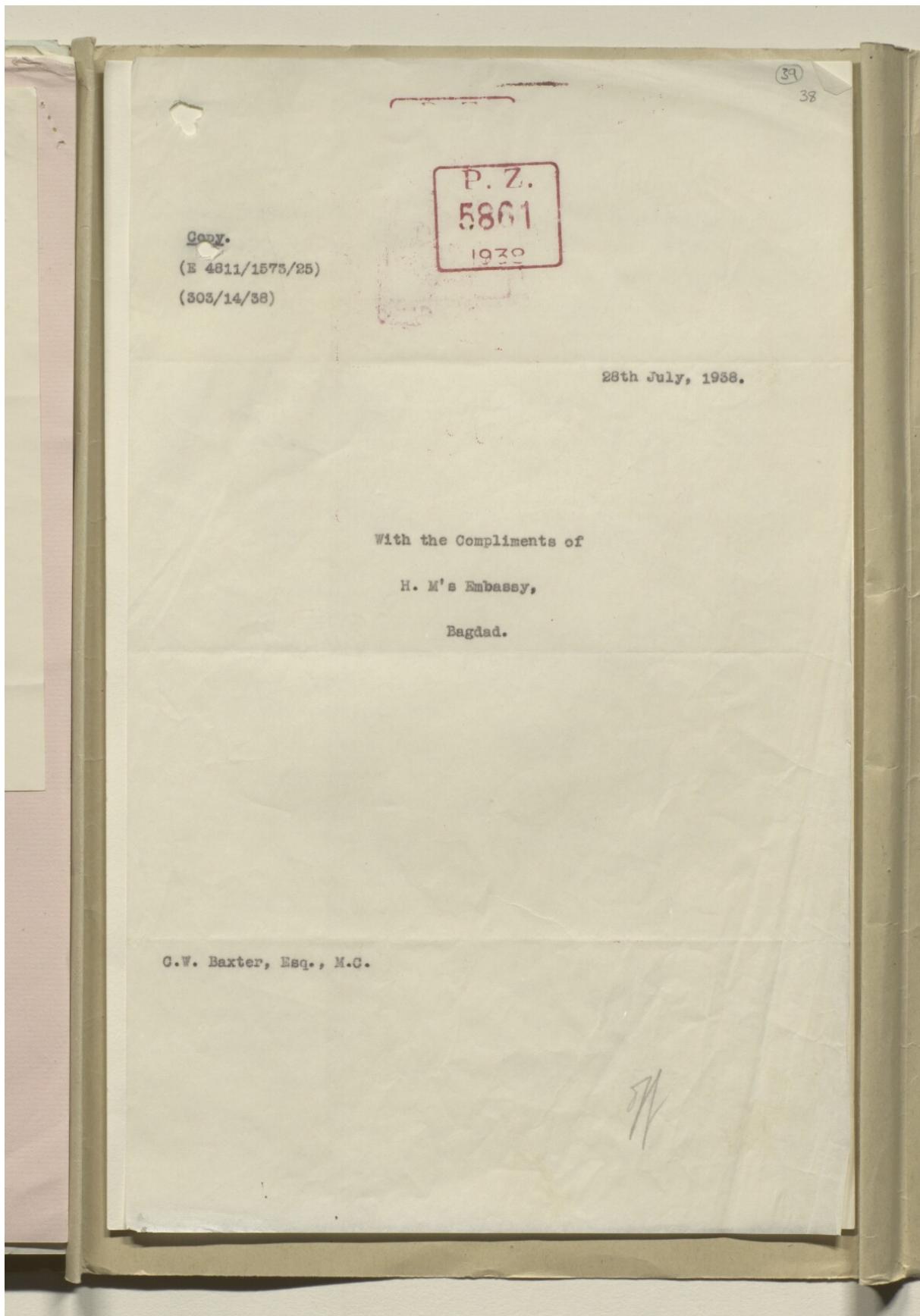


مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٣٨] ظ [٧٦ / ١١٢]



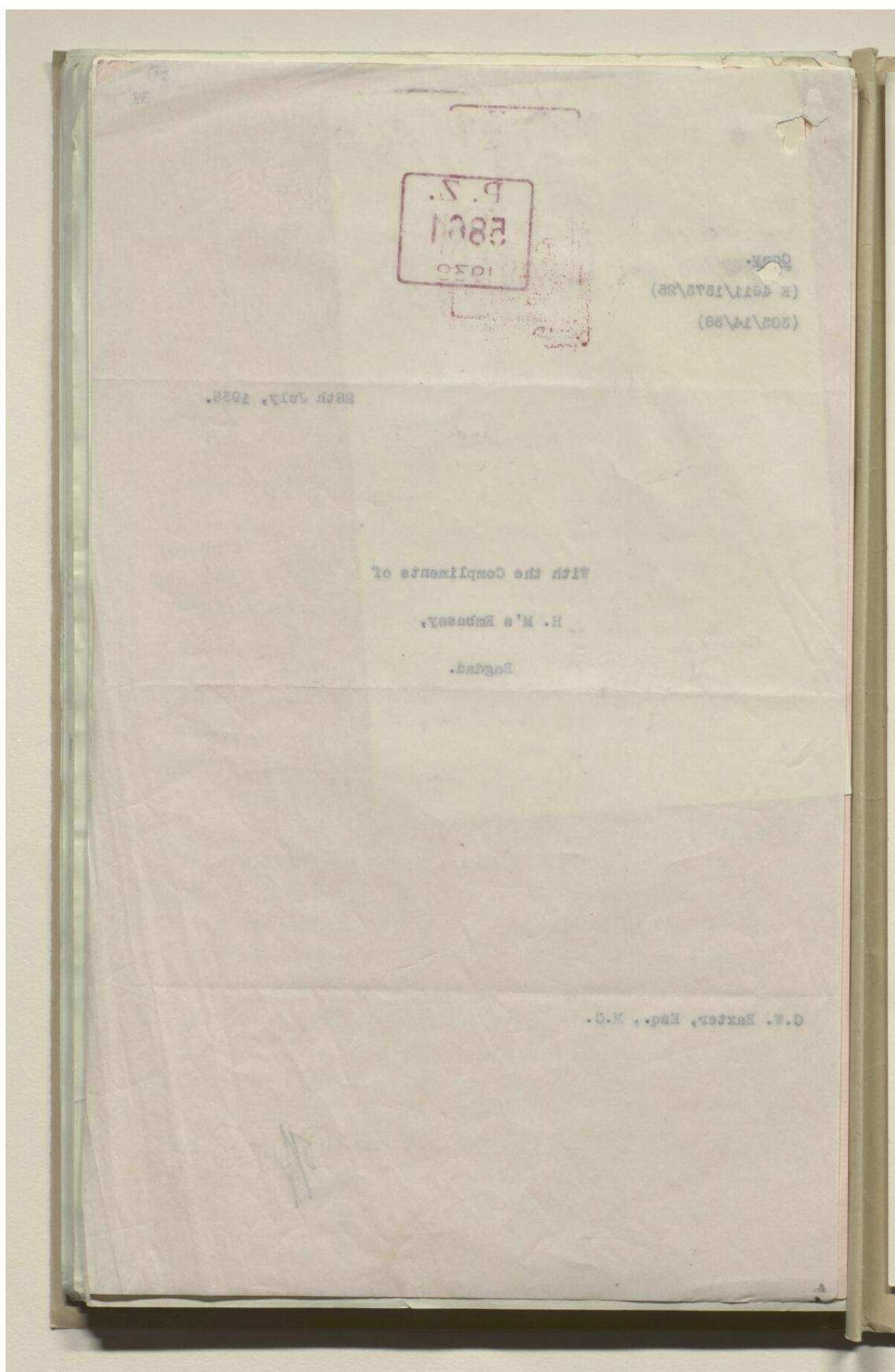


مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
(١١٢/٧٧) [٣٩]



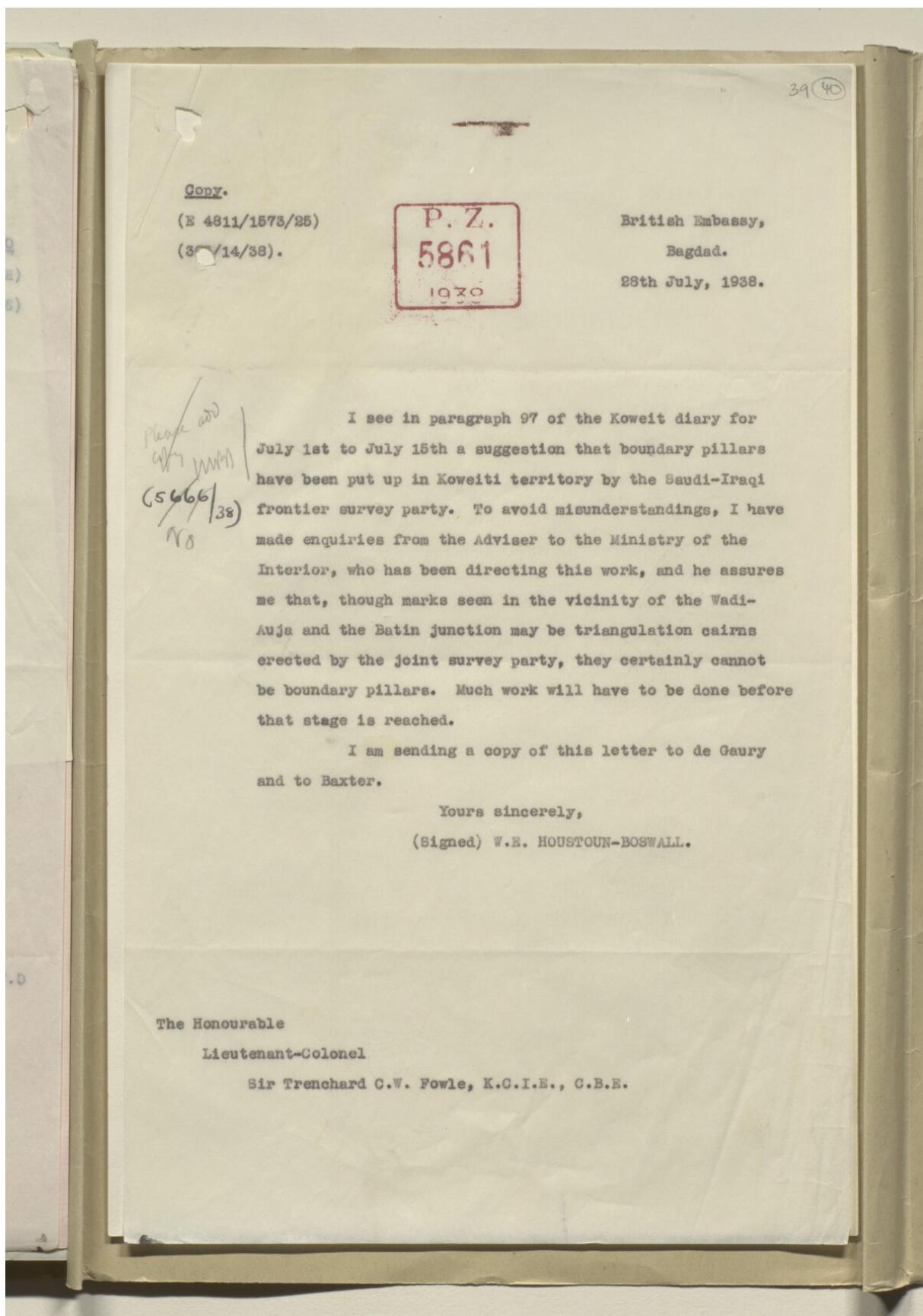


مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٣٦٩/٧٨] [١١٢]



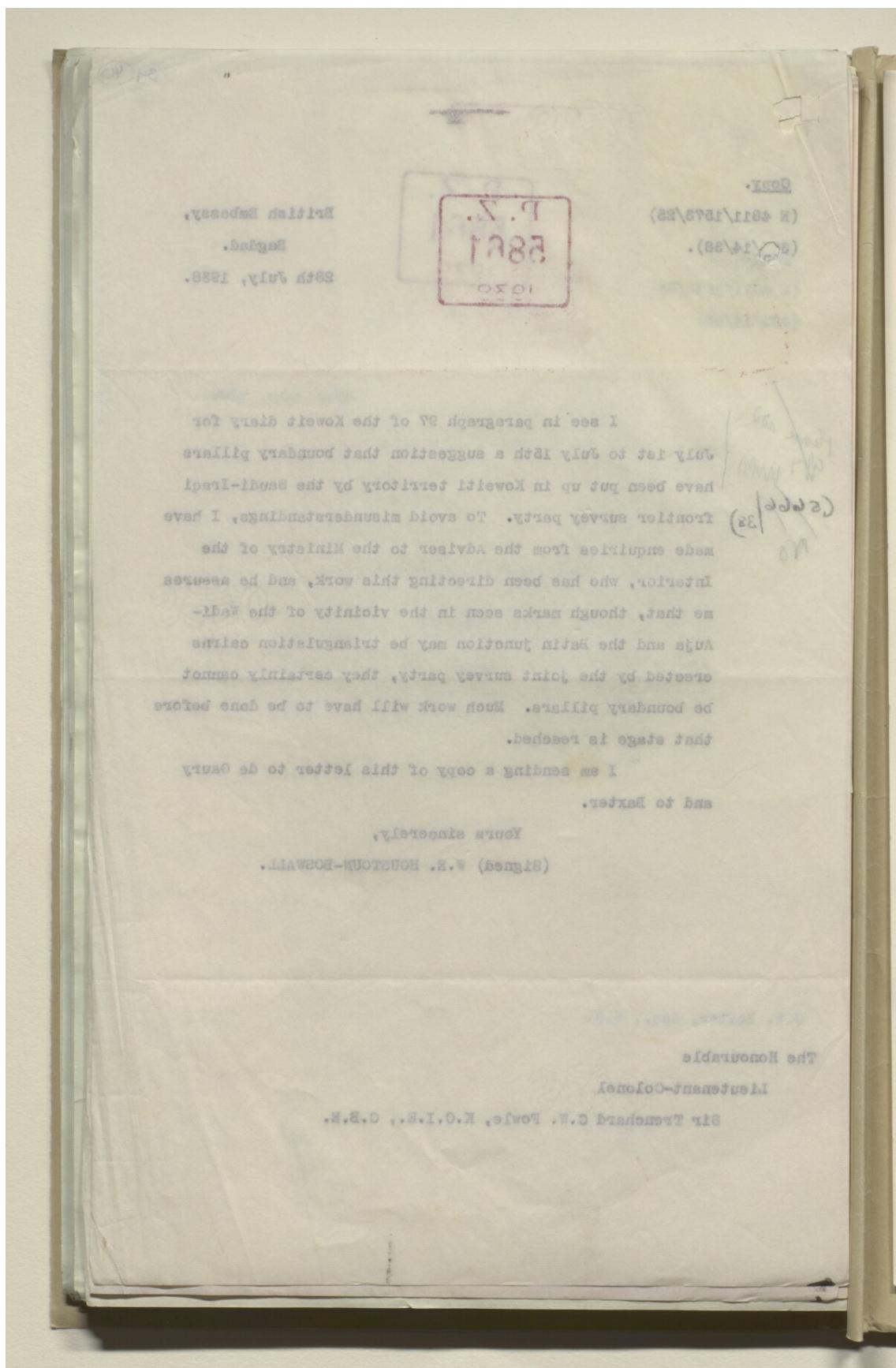


مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
(٤٠) [٧٩/١١٢]





مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٤٠] [٨٠/١١٢]





مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٤١] [٨١/١١٢]

Extr from P2 5254 40 (41)  
38.

EXTRACT FROM KUWAIT INTELLIGENCE SUMMARY FOR THE PERIOD  
FROM 1st to 15th July, 1938. No.13 of 1938.

97. Saudi Arabia.

Iraq frontier agreement.

Several Bedouins report that what are probably intended as Boundary Pillars have been erected not far from the junction of the Kuwait-Saudi-Iraq borders i.e. at Shuggiya (see R.A.F. map 1,500,00) in Kuwait territory.

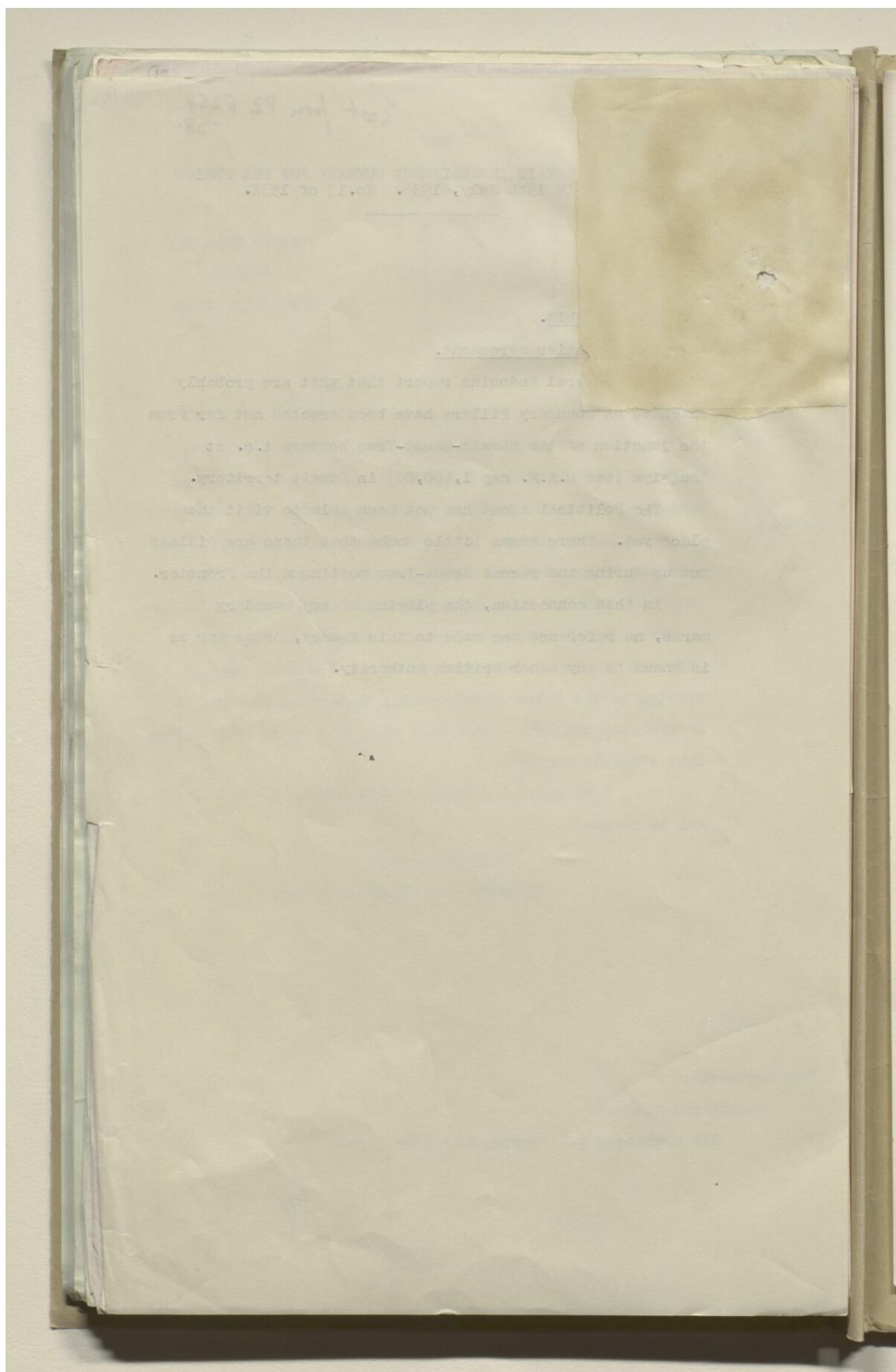
The Political Agent has not been able to visit the place yet. There seems little doubt that these are pillars put up during the recent Saudi-Iraq meeting on the frontier.

In this connection, the placing of any boundary marks, no reference was made to this Agency, or as far as is known to any other British Authority.

٦٦



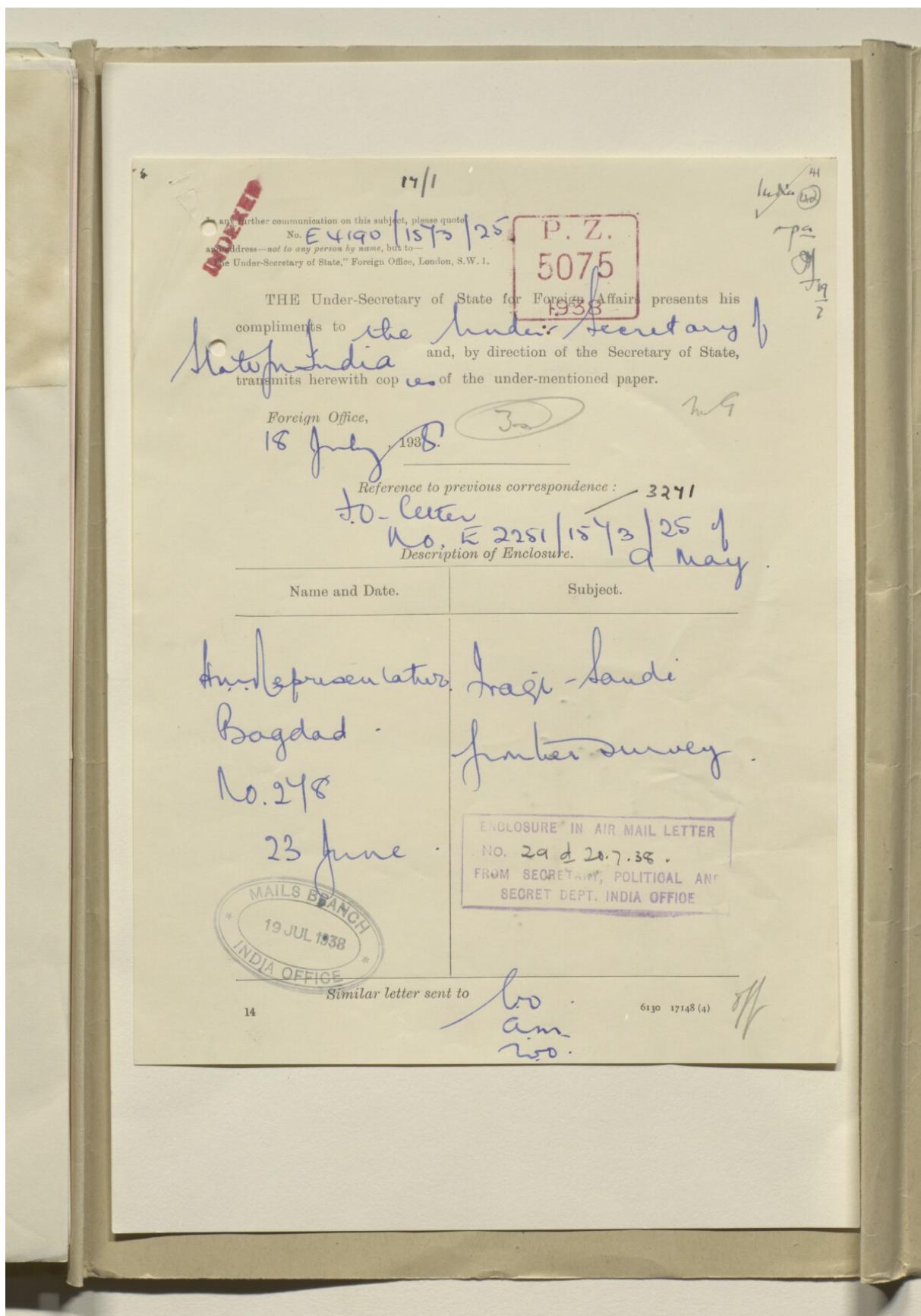
مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٨٢/١٤١]





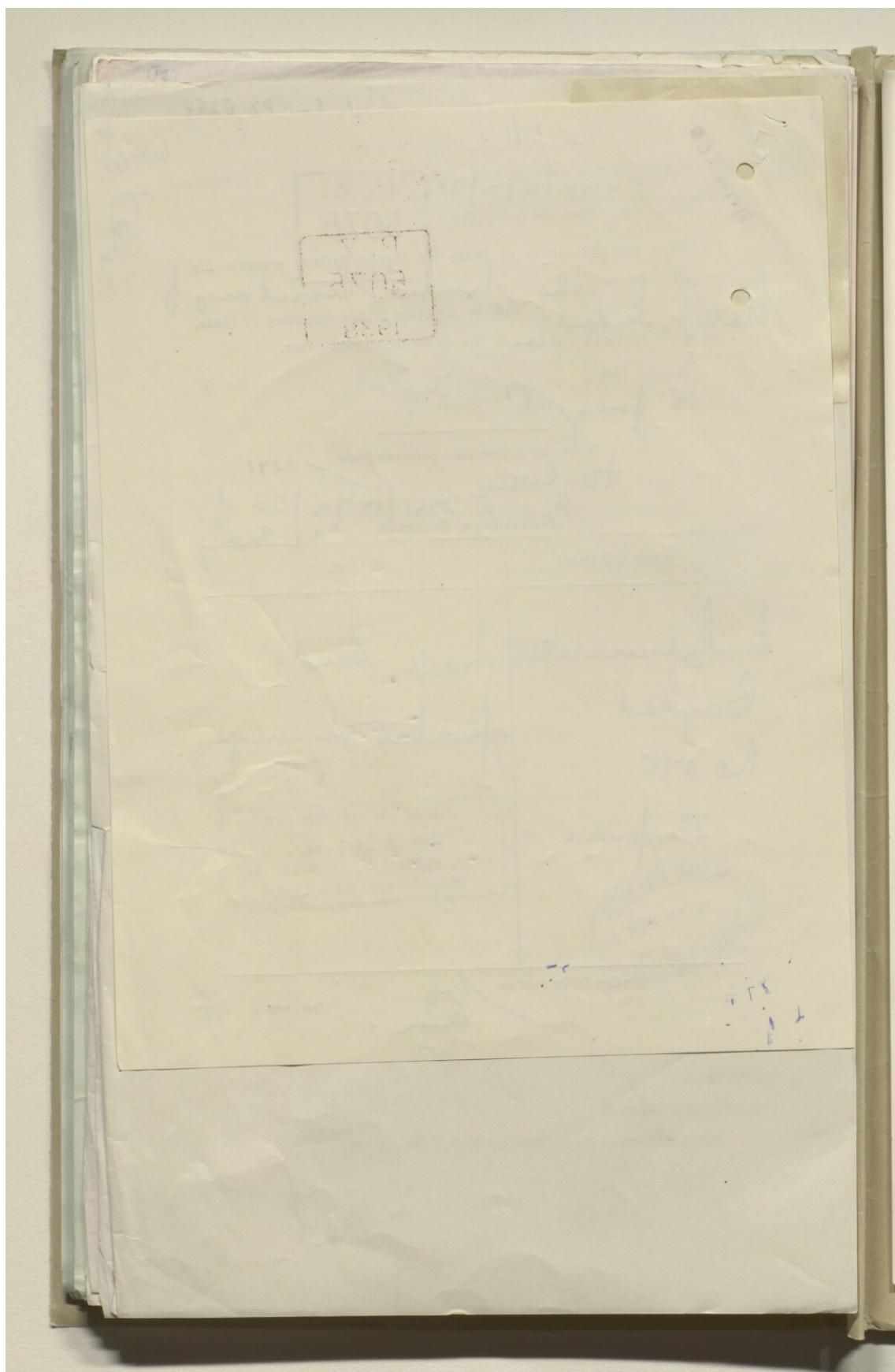
مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."

(١١٢/٨٣) [٤٤٢]



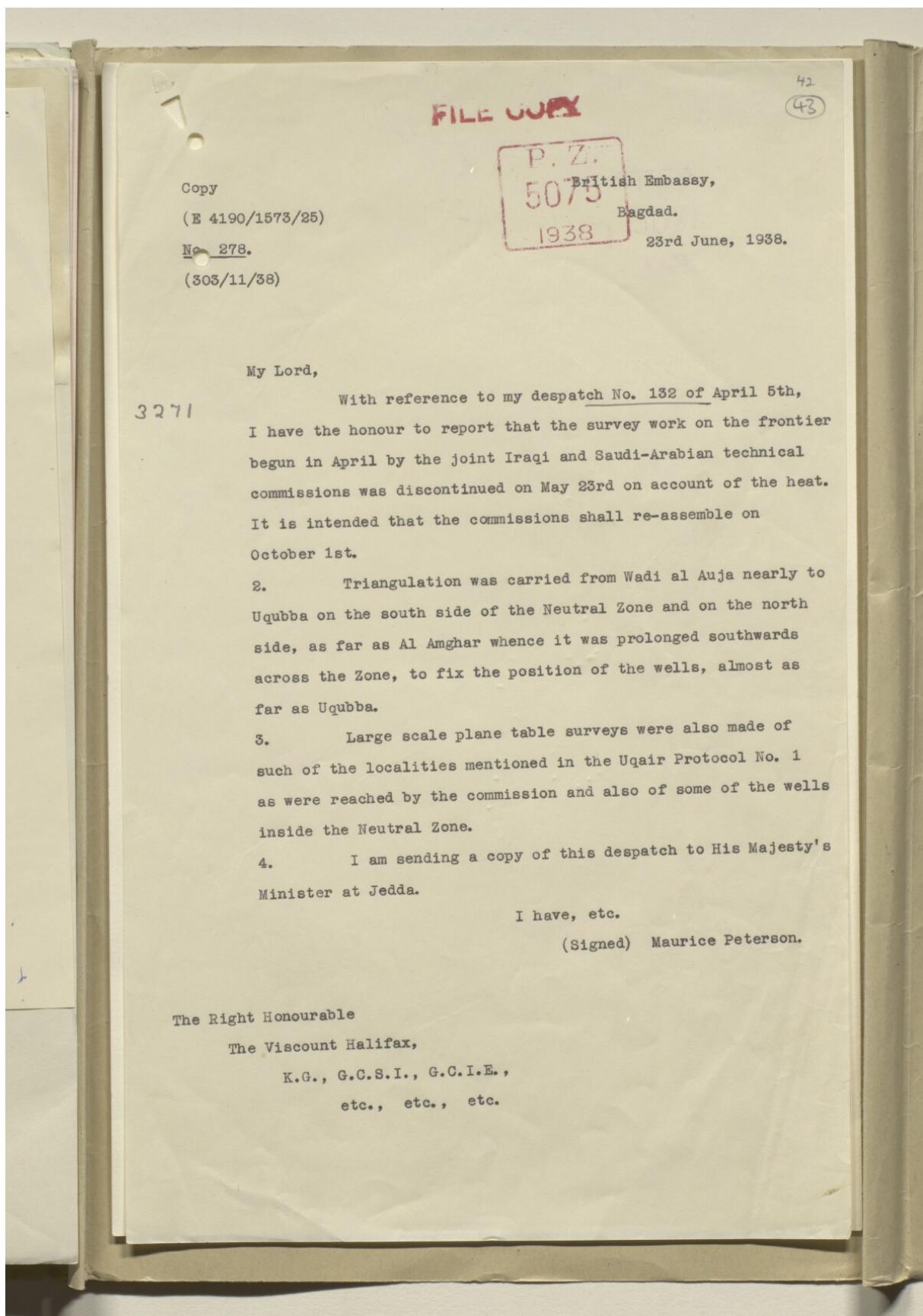


مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٤٤٢] (٨٤/١١٢)





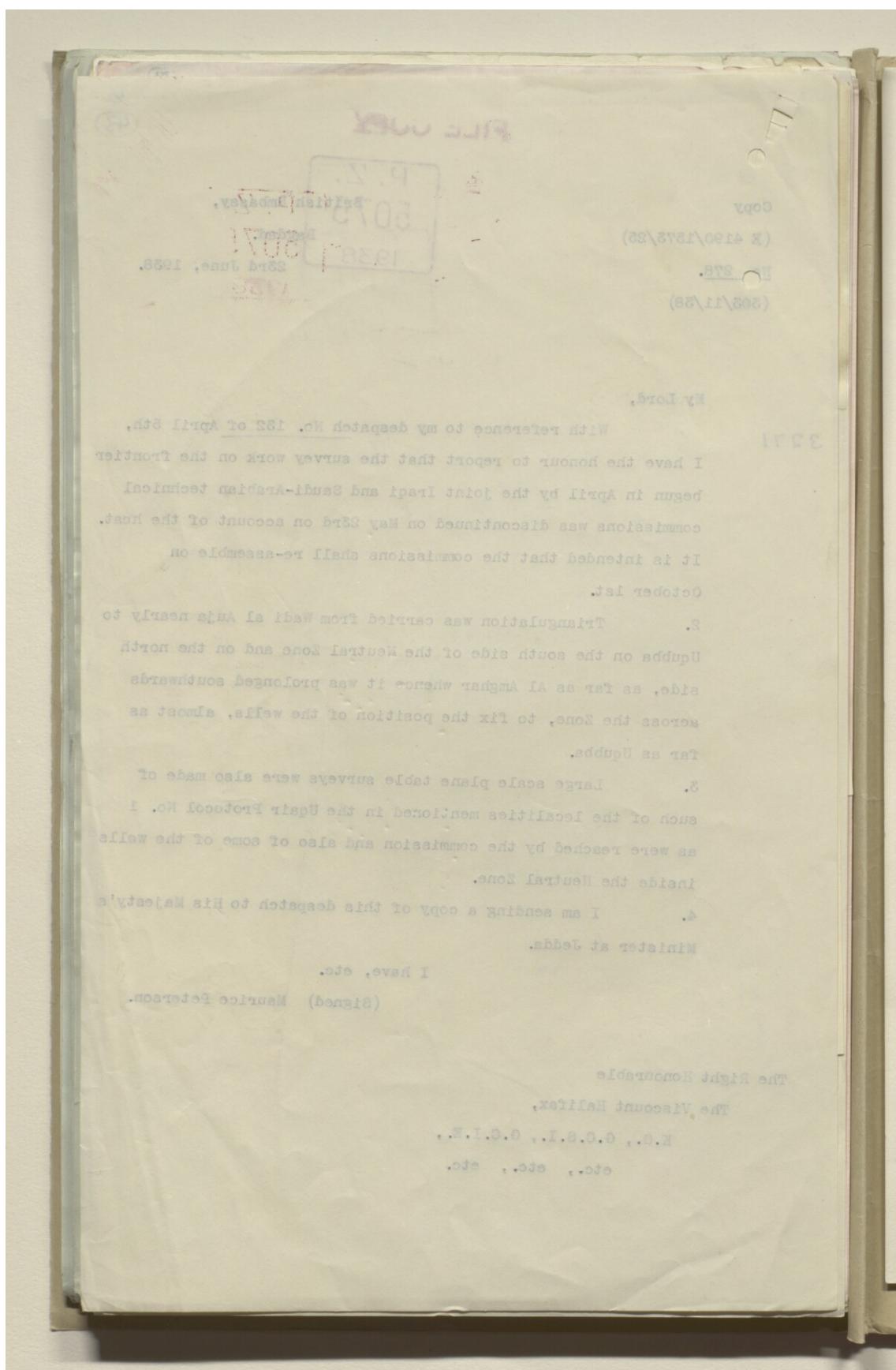
مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٤٤٣] (٨٥/١١٢)





مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."

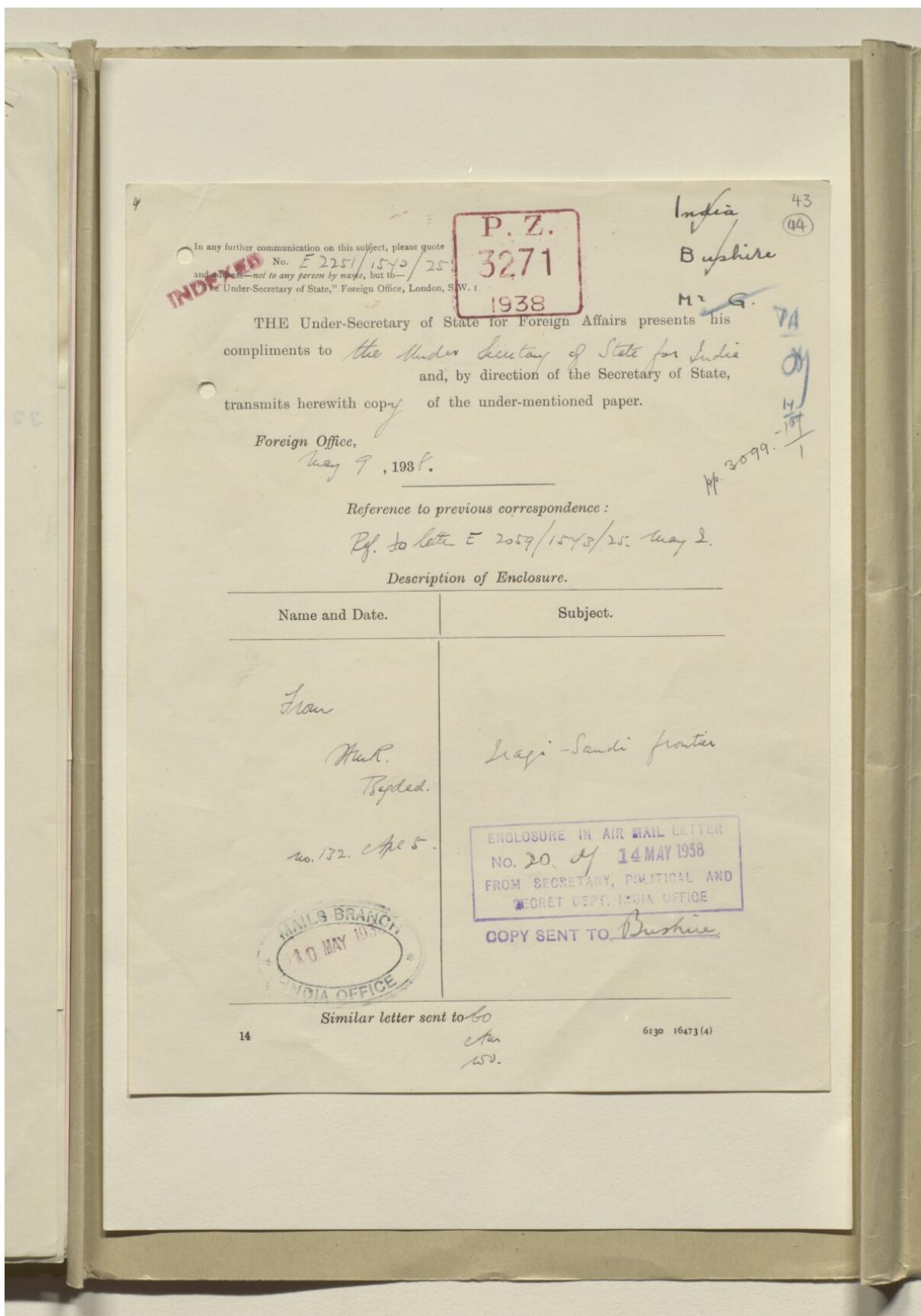
[٤٤٣] [٨٦/١١٢]





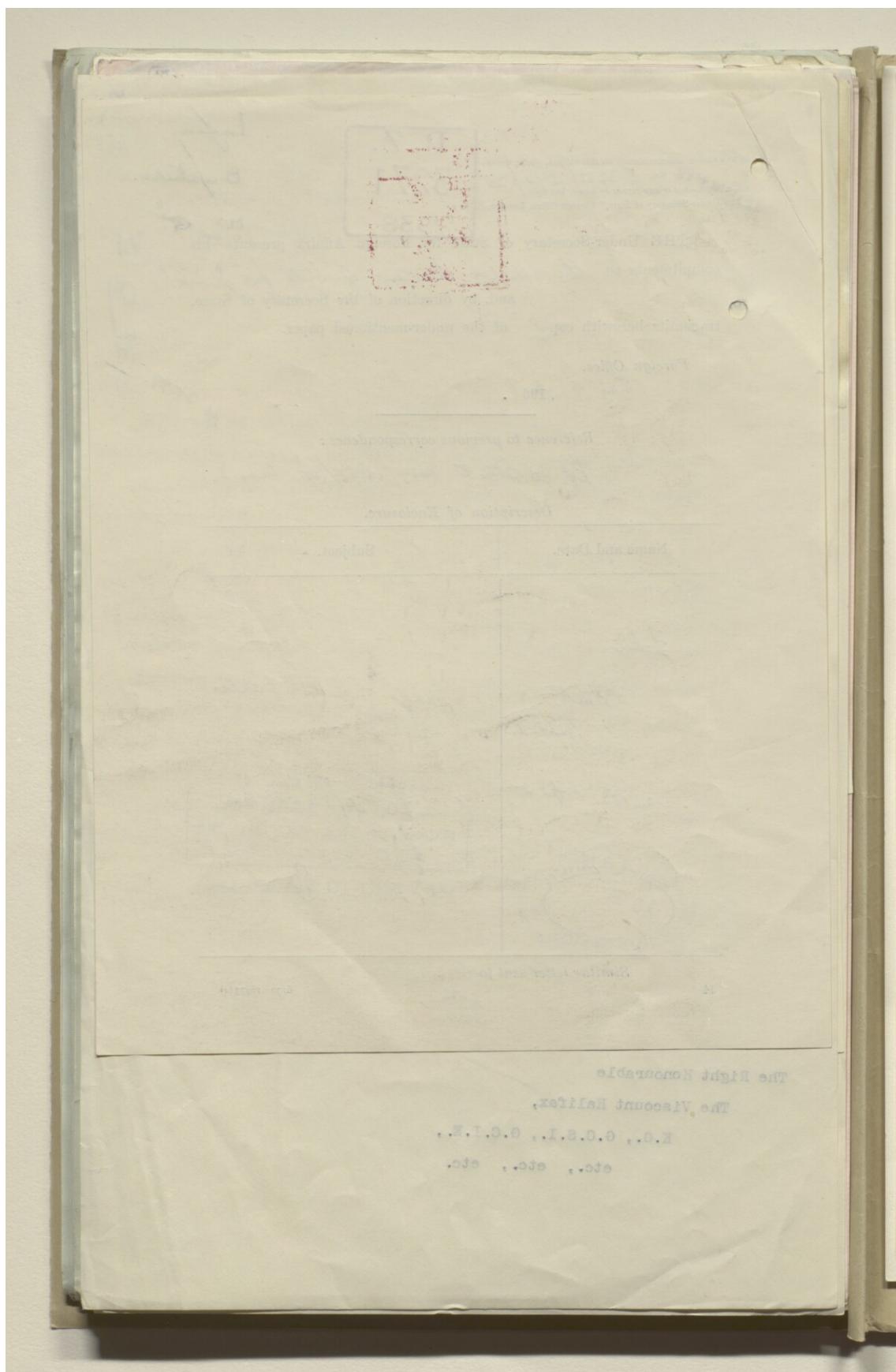
مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."

(٤٤) [٨٧/١١٢]





مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٤٤ ظ] (٨٨/١١٢)





مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
(٤٥) [٨٩/١١٢]

COPY.

(E 2251/1573/25)

No. 152. (303/5/38)



44

(45)

British Embassy,

Bagdad.

5th April, 1938.

My Lord,

I have the honour to transmit to Your Lordship herewith a translation of notes which have been exchanged between the Iraqi and Saudi Arabian Governments on the subject of the demarcation of their common frontiers, the texts of which have been published in a local newspaper.

2. It will be seen that the arrangements agreed upon consist, in essence, of the provision of a network of triangulation along the frontier zone followed by a topographical survey of a zone extending to a depth of five kilometres along each side of the frontier and the erection of boundary pillars.

3. I learn from the Adviser to the Ministry of the Interior that about a fortnight ago the Saudi Government informed the Iraqi Government that they were sending two surveyors to the point of junction of the Wadi al Auja and the Batin with a view to meeting the Iraqi party and starting work. The Iraqi Government thereupon suggested a preliminary technical conference in Bagdad, but this was declined and a rendezvous has now been fixed at the eastern extremity of the frontier line for April 7th.

4. I also enclose copies of further notes which have been exchanged between the Saudi and Iraqi Governments which provide that until such time as agreement shall have been reached concerning the terms of the Protocol referred to in Article 2 of the Treaty of Arab Brotherhood and Alliance of April 1936,

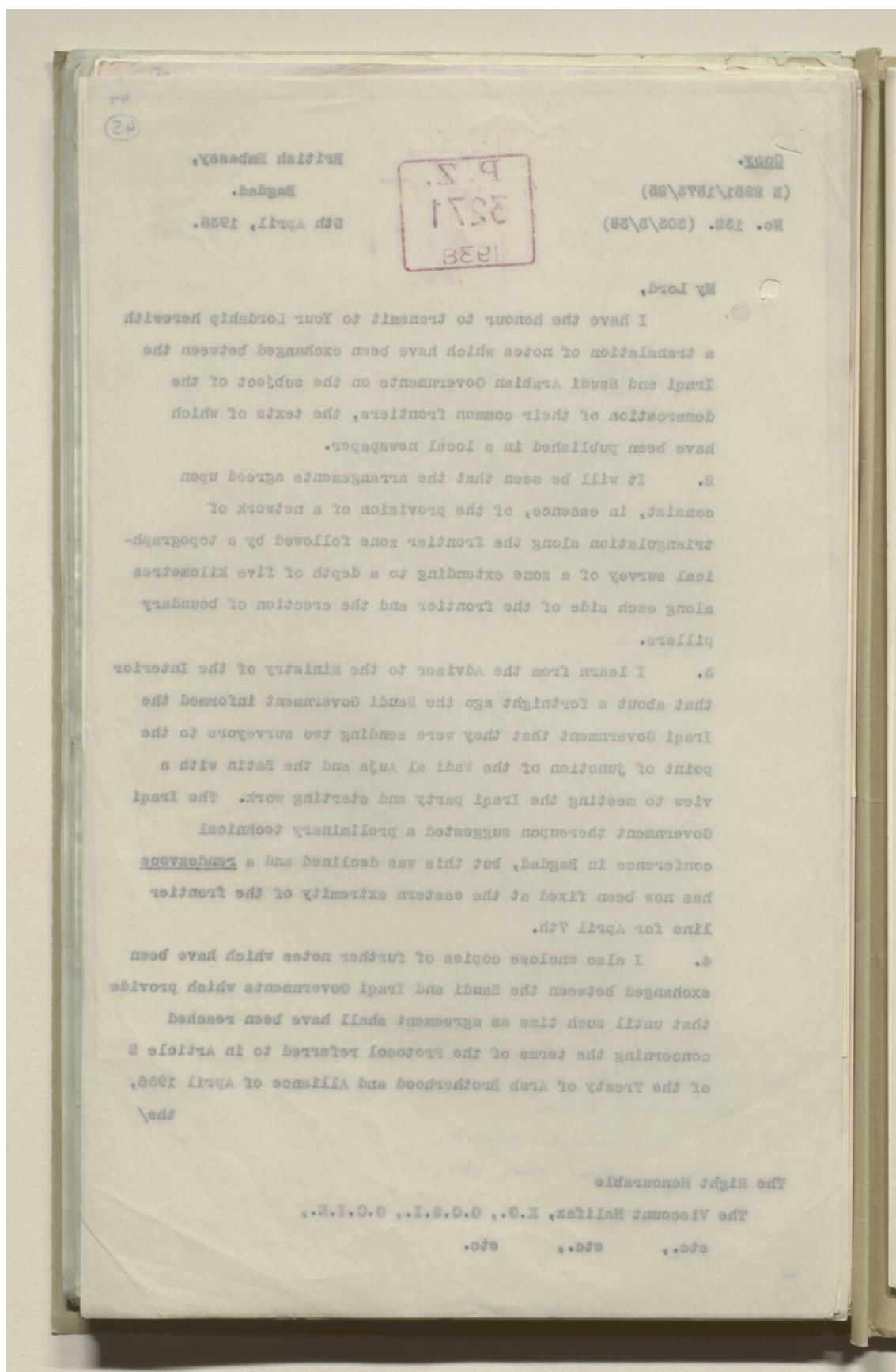
the/

The Right Honourable

The Viscount Halifax, K.G., G.C.S.I., G.C.I.E.,  
etc., etc., etc.



مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٤٤٥] [٩٢١]





مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
(١١٢/٩١) [٤٦]

(46) ٤٥

the Arbitration Protocol annexed to the Treaty of Friendship  
and Bon Voisinage, concluded between Iraq and Hejaz-Nejd and  
its Dependencies in April 1931, shall remain in force.

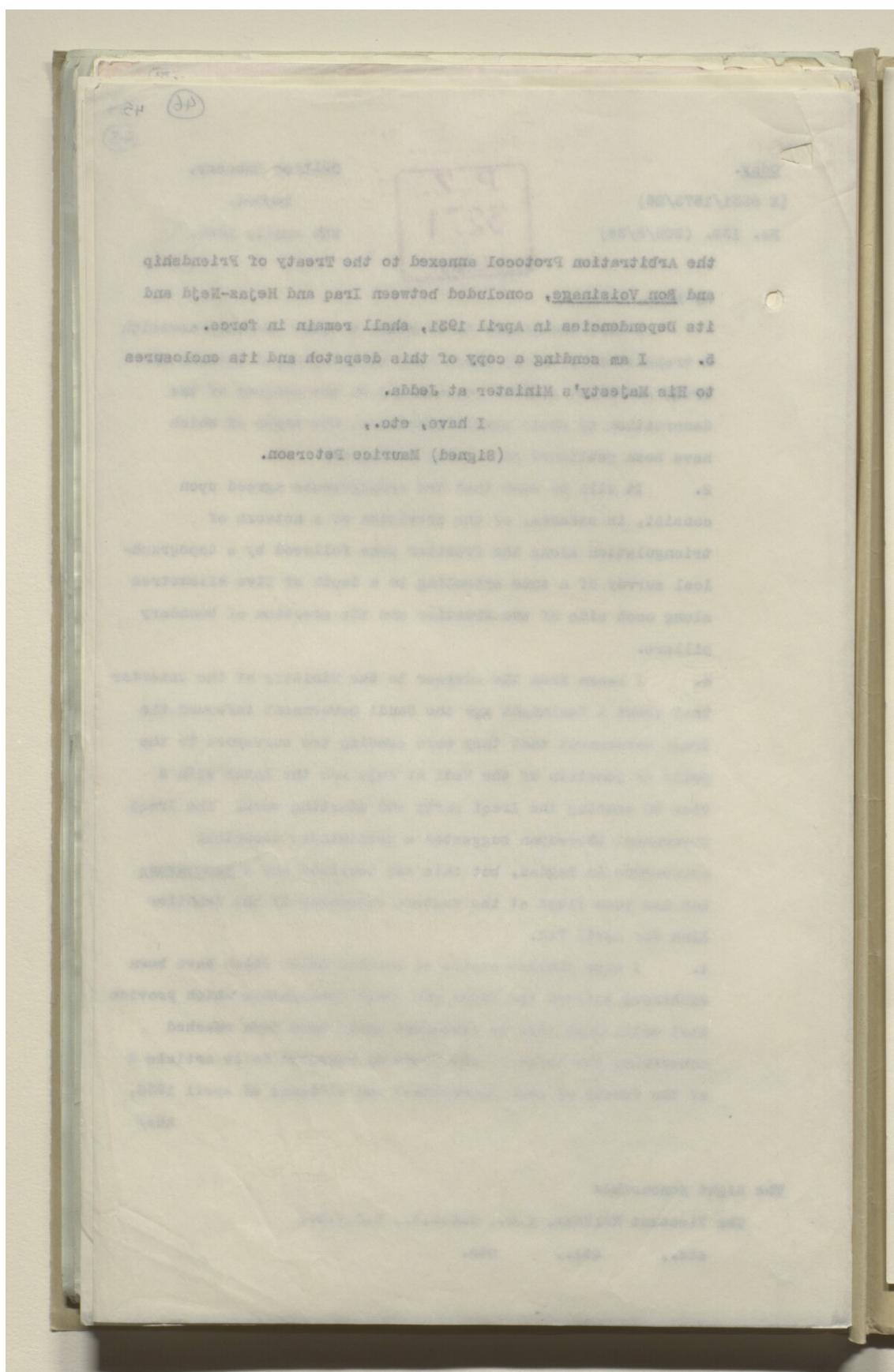
5. I am sending a copy of this despatch and its enclosures  
to His Majesty's Minister at Jeddah.

I have, etc.,

(Signed) Maurice Peterson.



مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٤٦ ظ] (٩٢/١١٢)





مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."

(٤٧) [٩٣/١١٢]

COPY.

ENCLOSURE IN BAGDAD DESPATCH

٤٦

NO. 132 OF 5.4.48.

(Extract from "Al Istiqbal" dated March 31, 1938)

Protocol to Treaty of Arab Alliance.

Exchange of Notes Between H.E. the Iraqi Foreign  
Minister and His Highness the Foreign Minister  
of Sa'udi Arabia.

The Sa'udi Arabia Press Bureau publishes the following  
communique:-

The following is the text of two letters exchanged  
between His Highness the Foreign Minister of Sa'udi Arabia  
and His Excellency the Foreign Minister of Iraq in connection  
with the demarcation of the frontier between the two countries  
and the Protocol annexed to the Treaty of Arab Alliance :-

From H.E. the Foreign Minister of Iraq.

No. 2596/2596/7.

Bagdad, 7th February, 1938.

Your Highness,

I have the honour to inform Your Highness that my  
Government propose that the Arbitration Protocol annexed to  
the Treaty of Friendship and Bon Voisinage dated 20th Dhul  
Qi'dat, 1349, A.H., and 7th April, 1931, A.D., shall continue  
in operation, in pursuance of the provisions of Article 15 of  
the said Treaty, until such time as effect shall have been  
given to the Protocol mentioned in Article 2 of the Treaty of  
Arab Brotherhood and Alliance dated 10th Muharram, 1355, A.H.,  
and 2nd April, 1936, A.D., and to state that, if your Government  
concur in this proposal, Your Highness' reply accordingly and  
this letter shall constitute formal agreement to this effect  
between the two Governments.

I avail myself of this opportunity to express to Your  
Highness my highest consideration and esteem.

(Sd.) Taufiq al Suwaidi,  
Foreign Minister.

His Royal Highness Amir Faisal,  
Foreign Minister of the Kingdom of Sa'udi Arabia,  
Jidda.



مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٤٤٧] [٩٤/١١٢]

GOOG

MEMORANDUM IN TWO PARTS  
NO. ١٩٣ ١٢ ٦.٤.٤.٩.  
(Extract from "AI Tahrirat" dated March ٢١, ١٩٣٣)

Protocol of Treaty of Arab Alliance.

Explanatory Note to the Treaty of Arab Alliance.

Minister of Foreign Affairs of the Kingdom of Saudi Arabia  
to the Foreign Minister of the United States of America  
The undersigned Foreign Minister of the Kingdom of Saudi Arabia  
and the Foreign Minister of the United States of America  
have agreed upon the following communication:-

The following is the text of two separate exchanges  
between the Foreign Minister of Saudi Arabia  
and the Foreign Minister of the United States of America  
with the exception of the portion between the two countries  
and the protocol annexed to the Treaty of Arab Alliance:-

From H.S. the Foreign Minister of USA  
No. ٢٩٦/٢٩٦.

Bagdad, ٢٦ September, ١٩٣٣.

Yours sincerely,

I send you a copy of the Treaty of Arab Alliance which was  
signed at Bagdad on ٢٦ April ١٩٣٣, A.H. ١٣٥٣, by the  
Government of the Kingdom of Saudi Arabia and the Government of the  
United States of America, in accordance with Article ١٠ of the  
Treaty of Arab Alliance, which provides that the two governments  
will observe the principles of mutual respect and non-aggression  
in their relations, in accordance with Article ١١ of the  
Treaty of Arab Alliance, which provides that the two governments  
will settle their disputes by arbitration or by  
any other method of peaceful settlement, in accordance with  
Article ١٢ of the Treaty of Arab Alliance, which provides that the  
two governments will consult with each other in  
any matter of common interest, and will co-operate in  
the maintenance of international peace and  
the promotion of friendly relations among  
the two governments.

This Royal Message is issued  
Foreign Minister of the Kingdom of Saudi Arabia,  
Kingdom of Saudi Arabia.



مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٤٨و ٩٥/١١٢]

(48)

47

Letter in Reply from His Highness the Foreign Minister  
of Sa'udi Arabia.

Dated, 7th Muhamarram, 1357  
8th March, 1938.

Your Excellency,

I have the honour to refer to your letter dated 7th February, 1938, No. 2596/2596/7, in which you state that your Government propose that the Arbitration Protocol annexed to the Treaty of Friendship and Bon Voisinage dated 20th Dhul Qi'dat, 1349, A.H., and 7th April, 1931, A.D., shall continue in operation, in pursuance of the provisions of Article 15 of the said Treaty, pending conclusion of the Protocol mentioned in Article 2 of the Treaty of Arab Brotherhood and Alliance dated 10th Muhamarram, 1355, A.H., and 2nd April, 1936, A.D., and to state that my Government concur in this proposal of your Government and that Your Excellency's letter under reference and this my reply thereto shall constitute formal agreement to this effect between the two Governments.

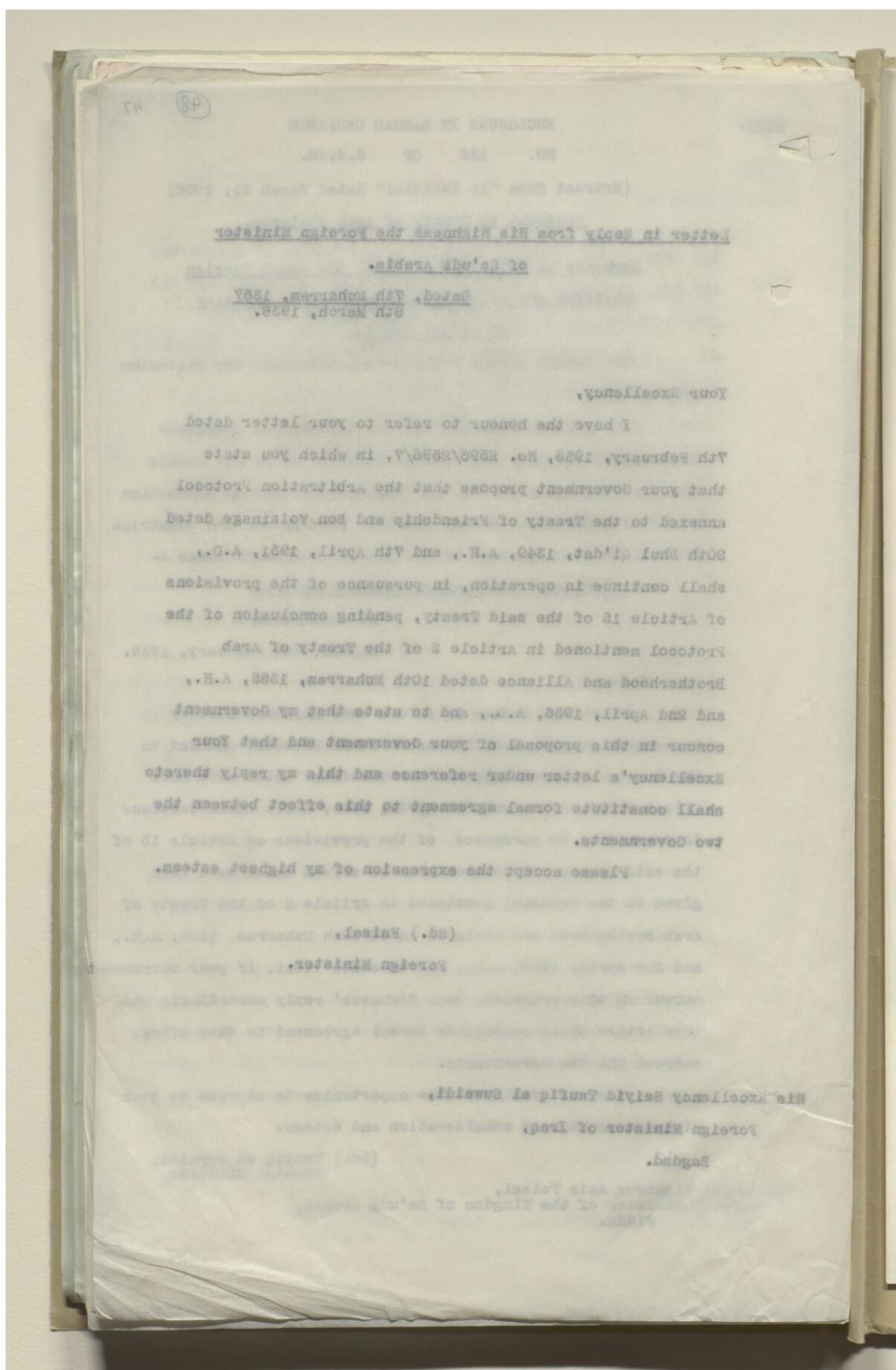
Please accept the expression of my highest esteem.

(Sd.) Faisal,  
Foreign Minister.

His Excellency Sayyid Taufiq al Suwaidi,  
Foreign Minister of Iraq,  
Bagdad.



مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٤٦٢/٩٦]





مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٤٦٢/٩٧]

(49) 48

From H.E. Sayyid Taufiq al Suwaidi, Foreign Minister  
of Iraq, Baghdad.

No. 2596/2596/7.

Bagdad, 7th February, 1938.

Your Highness,

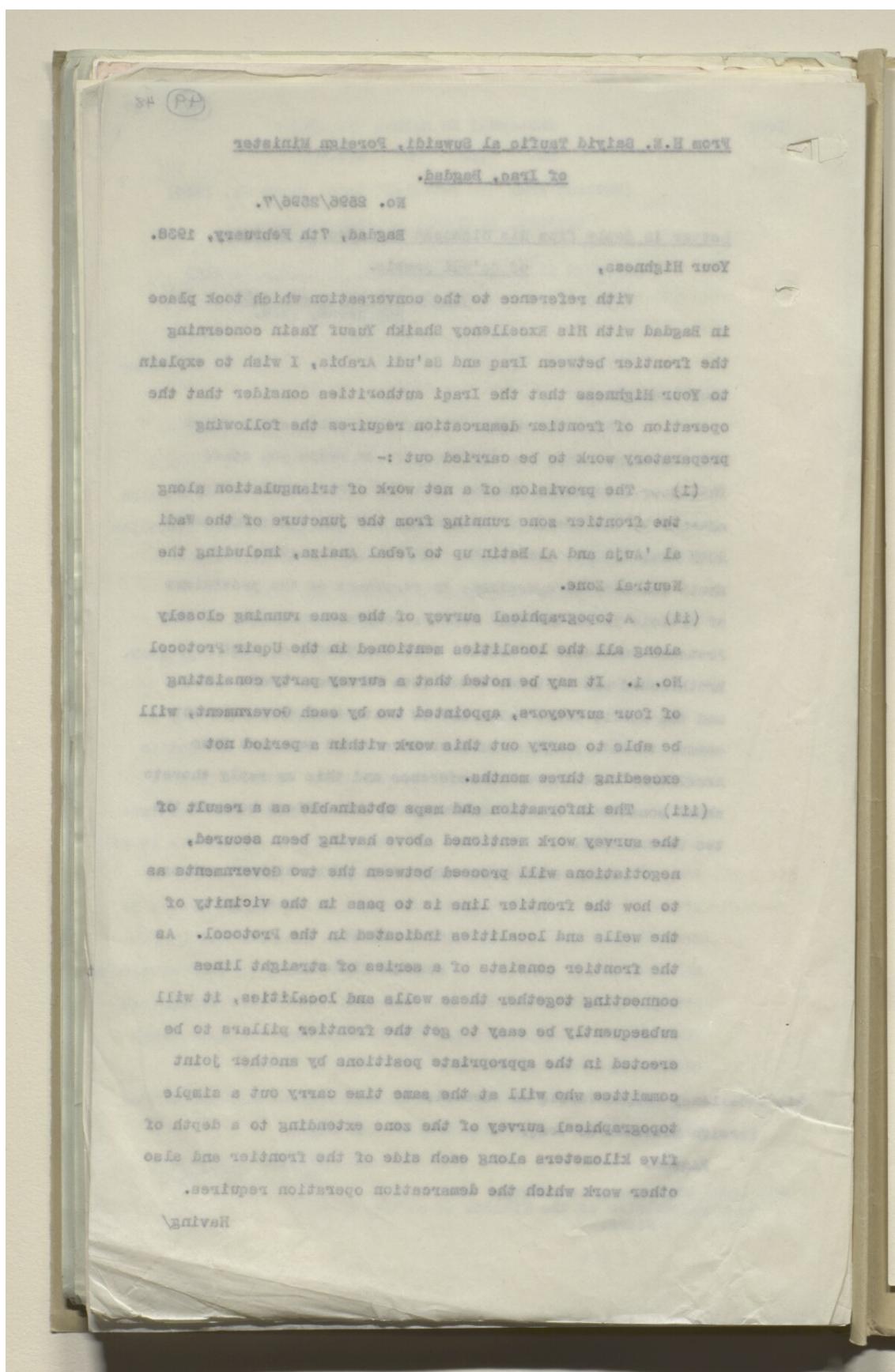
With reference to the conversation which took place in Bagdad with His Excellency Shaikh Yusuf Yasin concerning the frontier between Iraq and Sa'udi Arabia, I wish to explain to Your Highness that the Iraqi authorities consider that the operation of frontier demarcation requires the following preparatory work to be carried out :-

- (1) The provision of a net work of triangulation along the frontier zone running from the juncture of the Wadi al 'Auja and Al Batin up to Jebal Anaiza, including the Neutral Zone.
- (ii) A topographical survey of the zone running closely along all the localities mentioned in the Uqair Protocol No. 1. It may be noted that a survey party consisting of four surveyors, appointed two by each Government, will be able to carry out this work within a period not exceeding three months.
- (iii) The information and maps obtainable as a result of the survey work mentioned above having been secured, negotiations will proceed between the two Governments as to how the frontier line is to pass in the vicinity of the wells and localities indicated in the Protocol. As the frontier consists of a series of straight lines connecting together these wells and localities, it will subsequently be easy to get the frontier pillars to be erected in the appropriate positions by another joint committee who will at the same time carry out a simple topographical survey of the zone extending to a depth of five kilometers along each side of the frontier and also other work which the demarcation operation requires.

Having/



مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٦٤٩] [٩٨/١١٢]





مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
(١١٢/٩٩) [٥٠]

٤٩

(٥٠)

Having regard to the provisions of the Uqair Protocol No. 1, the Iraqi Government consider that as a preparatory step towards the operation of frontier demarcation agreement must be reached over the direct ownership of the wells in question through the joint machinery mentioned above. If however the Government of Sa'udi Arabia have no surveyors available to undertake this work jointly with Iraqi surveyors, the work can be carried out by Iraqi surveyors alone subject to the Government of Sa'udi Arabia paying half the cost.

I await the views of the esteemed Government of Your Highness on what I have set out above in order to enable steps as necessary to be taken for the required work to be taken in hand.

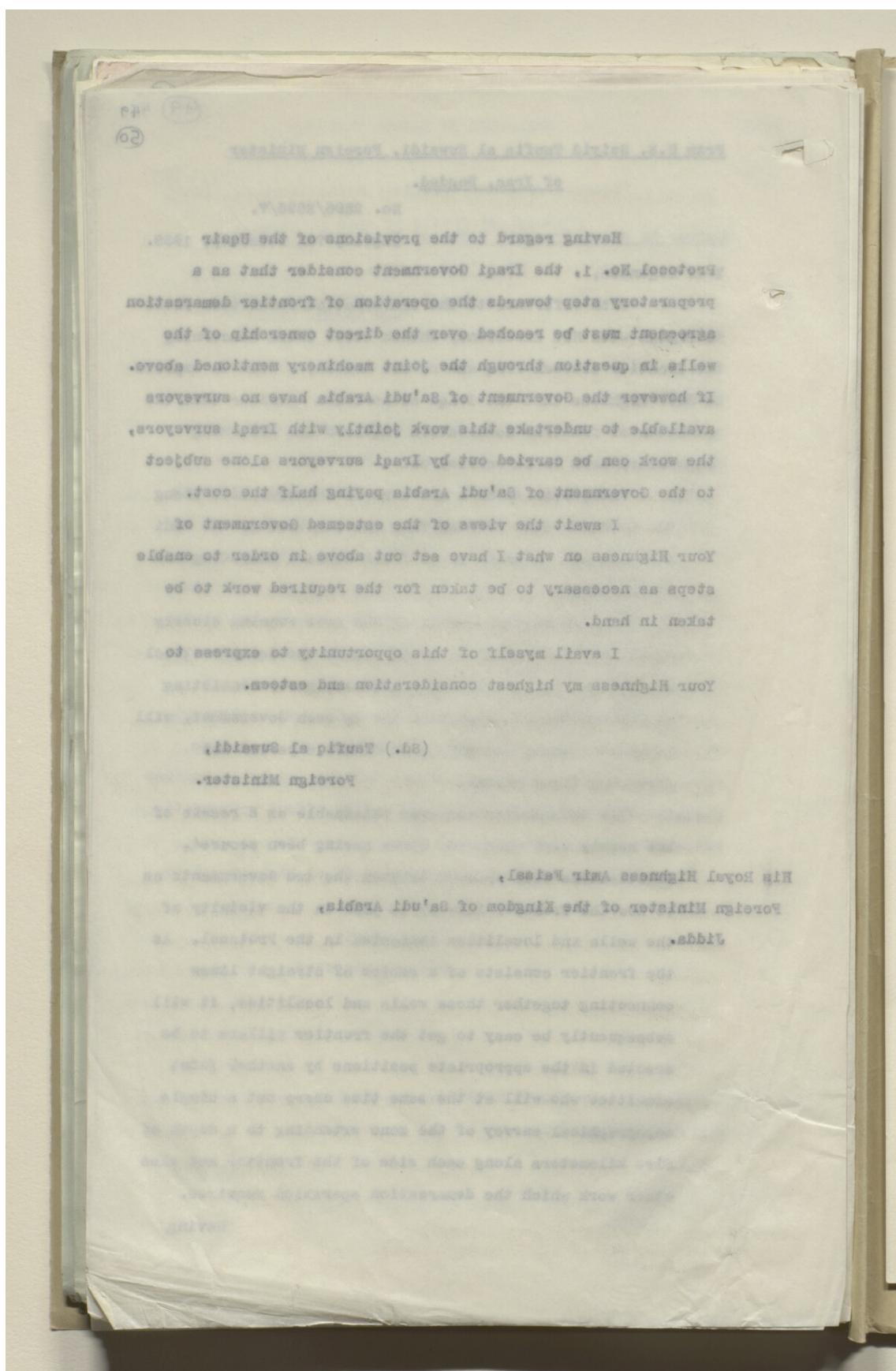
I avail myself of this opportunity to express to Your Highness my highest consideration and esteem.

(Sd.) Taufiq al Suwaidi,  
Foreign Minister.

His Royal Highness Amir Faisal,  
Foreign Minister of the Kingdom of Sa'udi Arabia,  
Jidda.



مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٥٠ ظ] (١١٢/١٠٠)





مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٥١] (١١٢/١٠١)

٦٠  
٥١

Letter in Reply from His Highness the Foreign Minister  
of Sa'udi Arabia.

No. 1/2/63.

Dated, 1st Muharram, 1357.  
2nd March, 1938.

Your Excellency,

I have received Your Excellency's letter dated 7th February, 1938, No. 2596/2596/7, in which you set out the views of your Government concerning the procedure for the demarcation of the frontier between the Kingdoms of Sa'udi Arabia and the Kingdom of Iraq consequent on the conversation with Shaikh Yusuf Yasin which took place in Bagdad.

I have pleasure in informing you that the Government of His Majesty the King agree to the following:-

Firstly: To appoint a party on their behalf to undertake in conjunction with an Iraqi party the provision of a net work of triangulation along the frontier zone running from the juncture of the Wadi al 'Auja and Al Batin up to Jebal Anaiza, including the Neutral Zone.

Secondly: A topographical survey being made of the zone running closely along all the localities indicated in the Uqair Protocol No. 1.

Thirdly: A simple topographical survey being made of the zone extending to a depth of five kilometers along each side of the frontier at the same time as demarcation work is proceeding therein.

Fourthly: Following on the submission of the information and maps to be provided as a result of the survey work mentioned above, negotiations will proceed between the two Governments as to how the frontier line is to pass through the wells and localities indicated in the Uqair Protocol alluded to above.

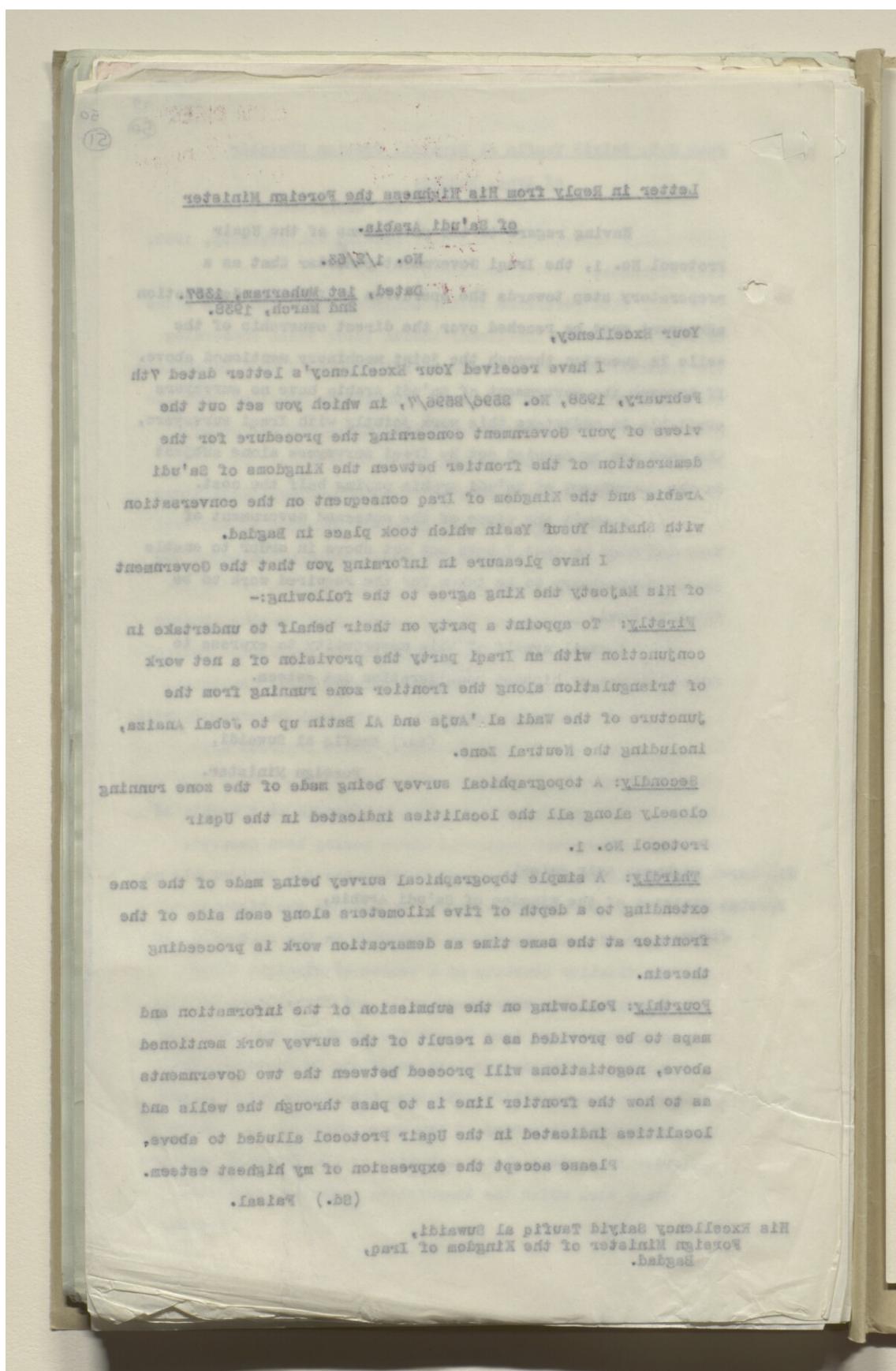
Please accept the expression of my highest esteem.

(Sd.) Faisal.

His Excellency Sayyid Taufiq al Suwaidi,  
Foreign Minister of the Kingdom of Iraq,  
Bagdad.



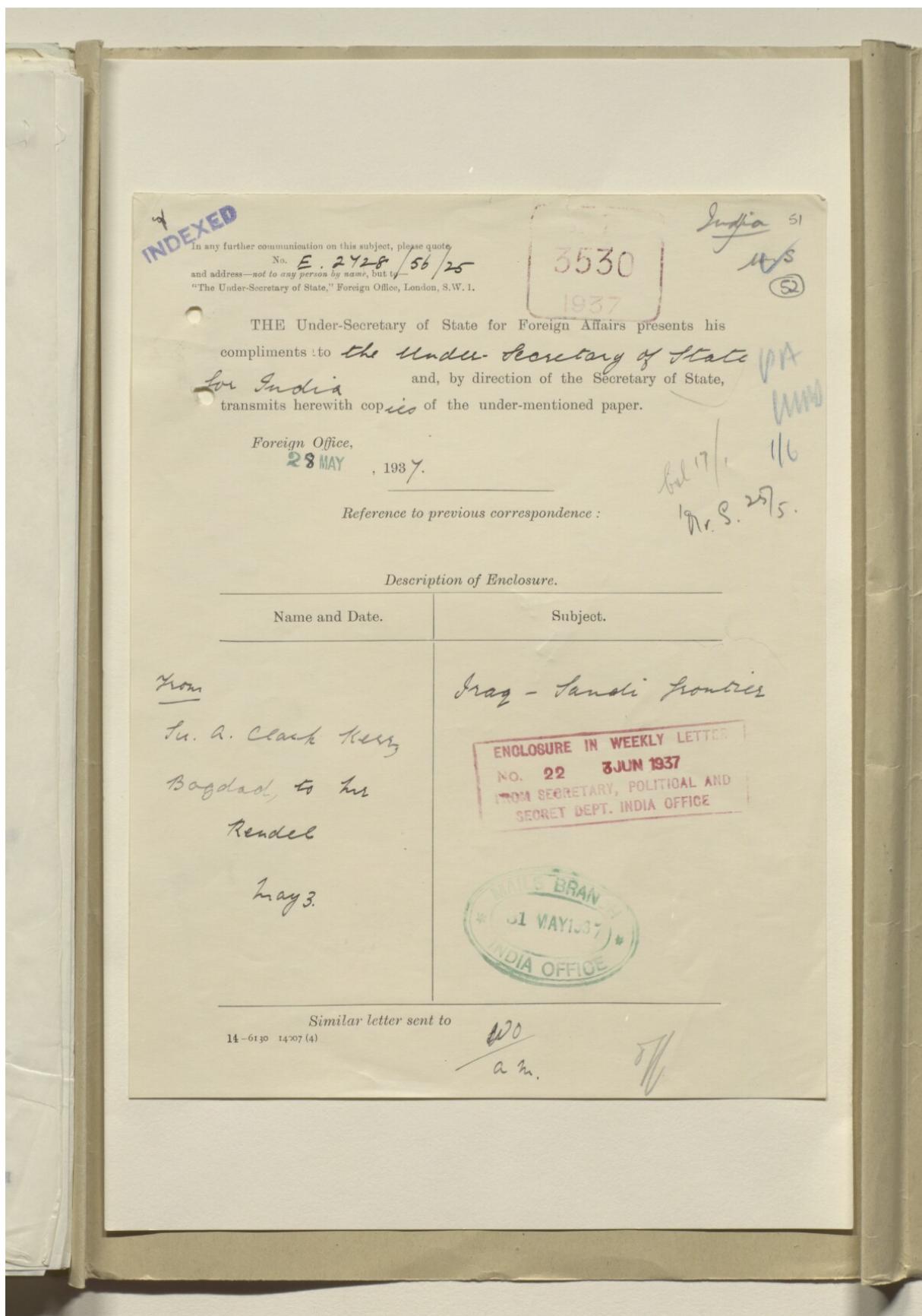
مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٥٤٠] (١١٢/١٠٢)





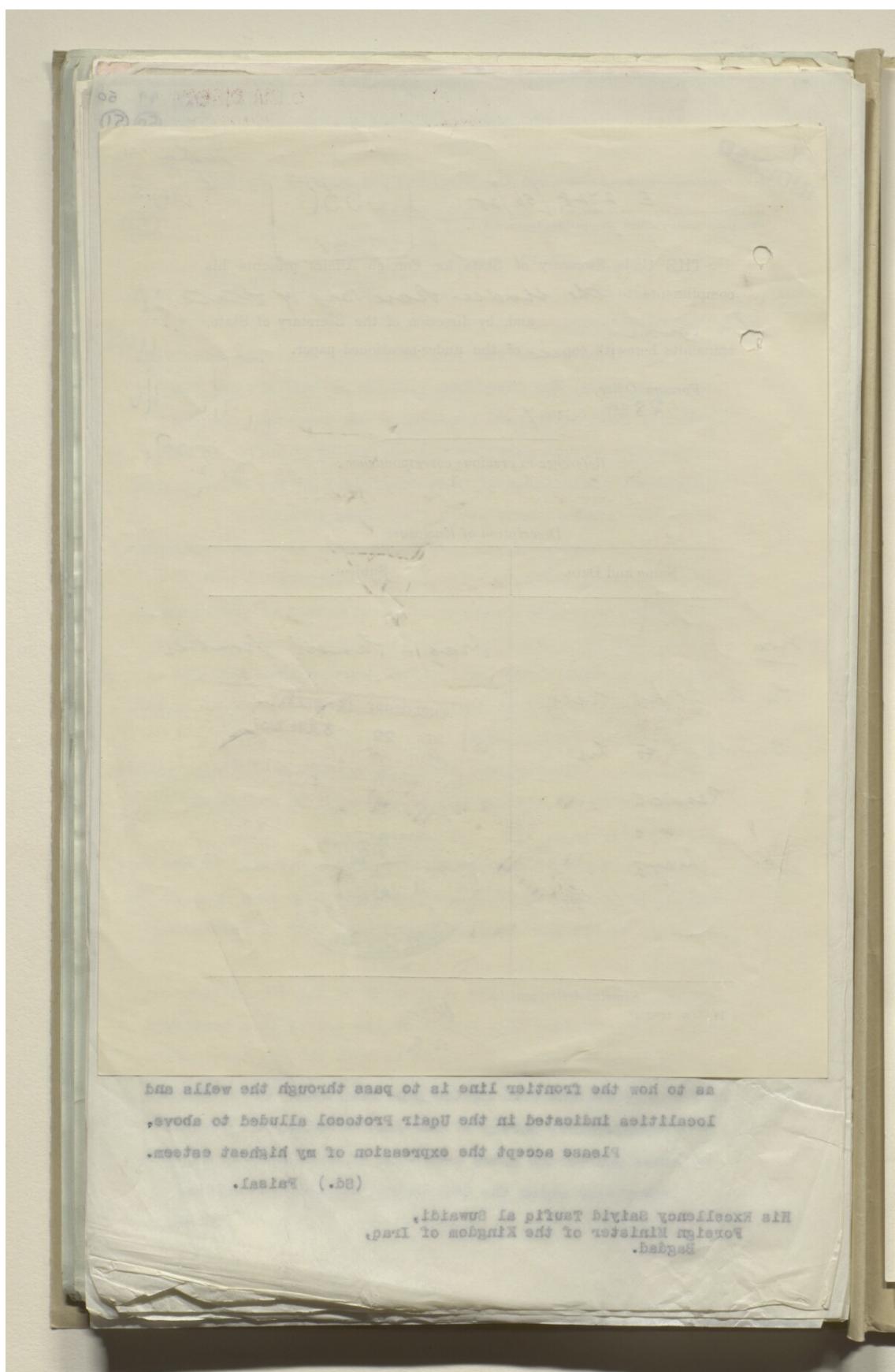
مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."

(١١٢/١٠٣) [٥٤]





مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٥٤] (١١٢/١٠٤)





مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٥٣] (١١٢/١٠٥)

Copy  
(E 2728/56/25)  
(396/2/37)

BRITISH EMBASSY, 937  
BAGDAD.  
3rd May, 1937.

D

My dear George,

In paragraph 3 of the enclosure to my letter No. 387/3/37 of today's date about the Iraq-Koweit frontier, there is a reference to a second note by Edmonds to his minister on the demarcation of the Iraq-Saudi Aralda frontier. I enclose a copy of that note herein.

Edmonds, I gather, is now advising the Iraqi Government to propose to the Saudi Government the demarcation of the frontier line on the ground, and the technical procedure which he suggests seems sound and straightforward, but I do not expect that the work will in fact be undertaken for some time.

The other points arising out of this question have already been considered in my despatch No. 89 of February 17th, 1936, and your letter No. E 981/52/25 of March 11th, 1936, and there is no need for me to go over them again.

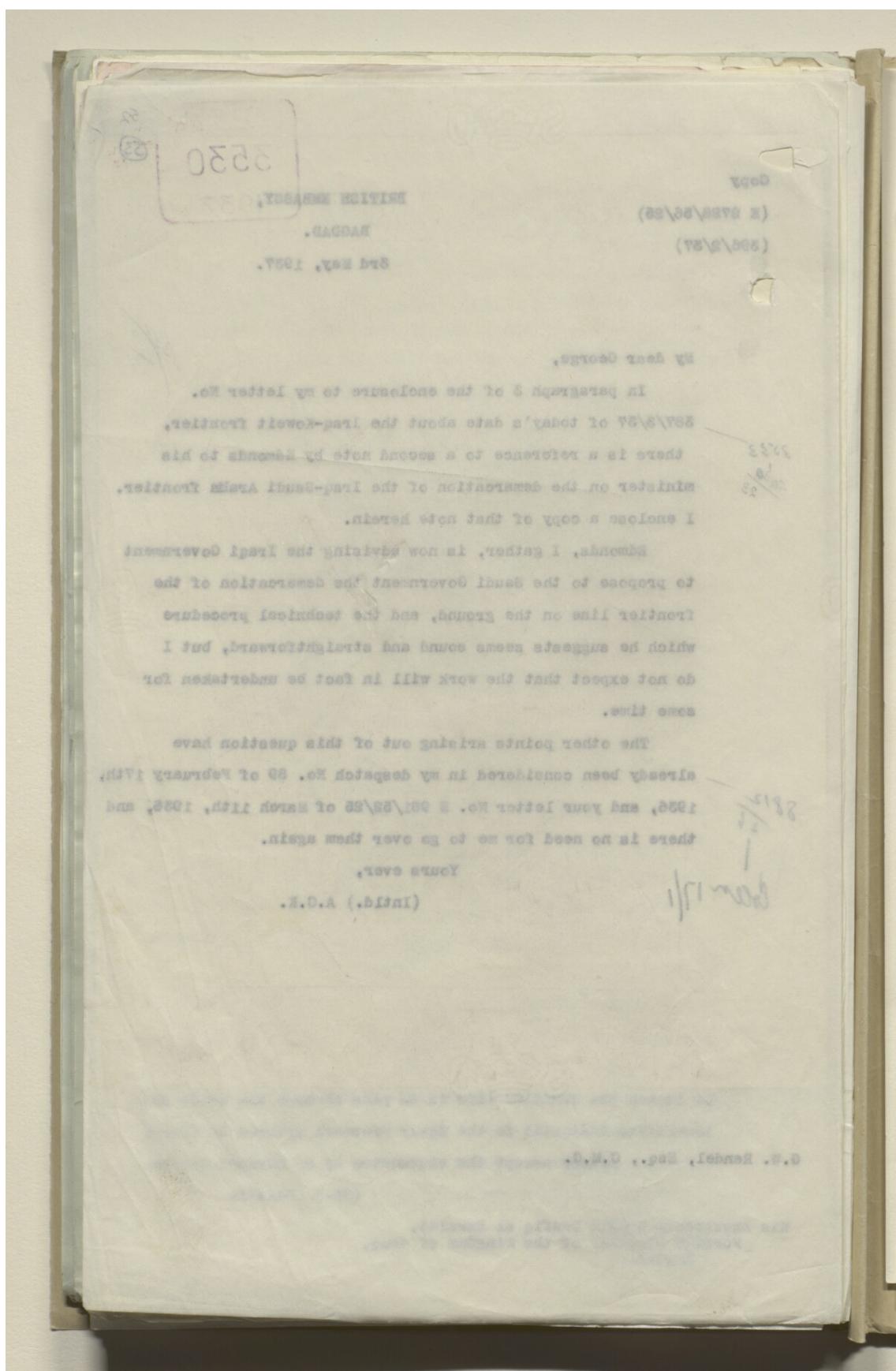
Yours ever,  
(Intld.) A.G.K.

Can 17/1

G.W. Rendel, Esq., C.M.G.



مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٥٥٣] (١١٢/١٠٦)





مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٥٤] (١١٢/١٠٧)

SECOND ENCLOSURE TO MR. EDMOND'S LETTER  
NO. 160 B.A.SI OF APRIL 25th.

Note No. 473.

P Z 53  
PZ 3530  
1937  
JW (54)

H.E.

DEMARCATION OF THE SAUDI BOUNDARY.

1. In my note No. 454 of 29th March, 1937, I made certain proposals for the demarcation of the Saudi Boundary. The following explanation of the technical methods employed in such a demarcation may be useful.
2. The Iraqi-Saudi boundary consists of a series of straight lines between certain fixed points, the places mentioned in the Protocol of Uqair. The task of demarcation is therefore to erect a number of pillars in a straight line between each fixed point and the next. In order to do this it is necessary :
  - (1) to have a net work of triangulation running along the frontier zone; (2) to determine the coordinates of the fixed points; (3) to calculate on the basis of (1) & (2) the exact position where the straight line cuts any feature or passes across any sector of desert; (4) to erect the pillars in the positions so determined. For this purpose a topographical map is not necessary, but only a diagram showing the triangulation points with the geographical coordinates of each.
3. But since the places mentioned in the Protocol have a certain magnitude, (e.g. Judaidat al 'Ar'ar is a group of wells) it is first necessary to agree upon the exact point within the locality which is to be the terminal fixed point of each straight line in the series. We can only agree on this point by having before us a topographical map of the locality in the light of which we can agree as to how the line is to divide (if the Saudi thesis is accepted) or pass round (if the Iraqi thesis is accepted) the places mentioned in the Protocol.

The ...



١٧ / ٣٥ "العراق. العلاقات العراقية السعودية. ترسيم الحدود." [٤٥٦] (١٠٨/١٢)

S 9  
et  
REVIEW BUREAU OF INVESTIGATION BROOME  
BROOME COUNTY NEW YORK

.MAY 20 1938

EXAMINER IT WAS SENT TO MOUNTAINMAN

missed them I was never able to add on even up all . I  
add . whatever there was to noisecrimes add yet since coming  
in to you are another incident add to noisecrimes you will let  
me know if you have noisecrimes a date  
to solve or to assistance you know I just know add .  
several ads , which best mississ nowed until fragment  
noisecrimes to meet add . this is to let you know if you have  
enough time a of solving to reduce a date of event add  
and of or when it . then add has this best does nowed  
: you know if it  
you know mississ noisecrimes to know you a even of (1)  
add to seashore add number of (2) you know nothing add  
(3) a (4) to stand add no assistance of (5) which best  
contact you also until fragment add early mississ you add  
and time of (6) because to reduce you know nothing to  
knowing what you . number of as mississ add no assistance  
managing a you add , you know you a you know  
Incident add this along noisecrimes add you know  
. does to seashore  
a good record add at number seeing add some the  
to you a a in in tabular . e.g.) , charting an  
time same add now a copy of mississ for it a if (also  
take best letter add add of a hand will add mississ  
no copy who has a . series add no assistance does to  
add to you Incidents add a no record you add along with  
and add add of an copy who has a hand to itself add no will add  
number see (before add a stand first add II) obivious of a  
a number seeing add (before add a stand first add II)  
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مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٥٥٥] (١١٢/١٠٩)

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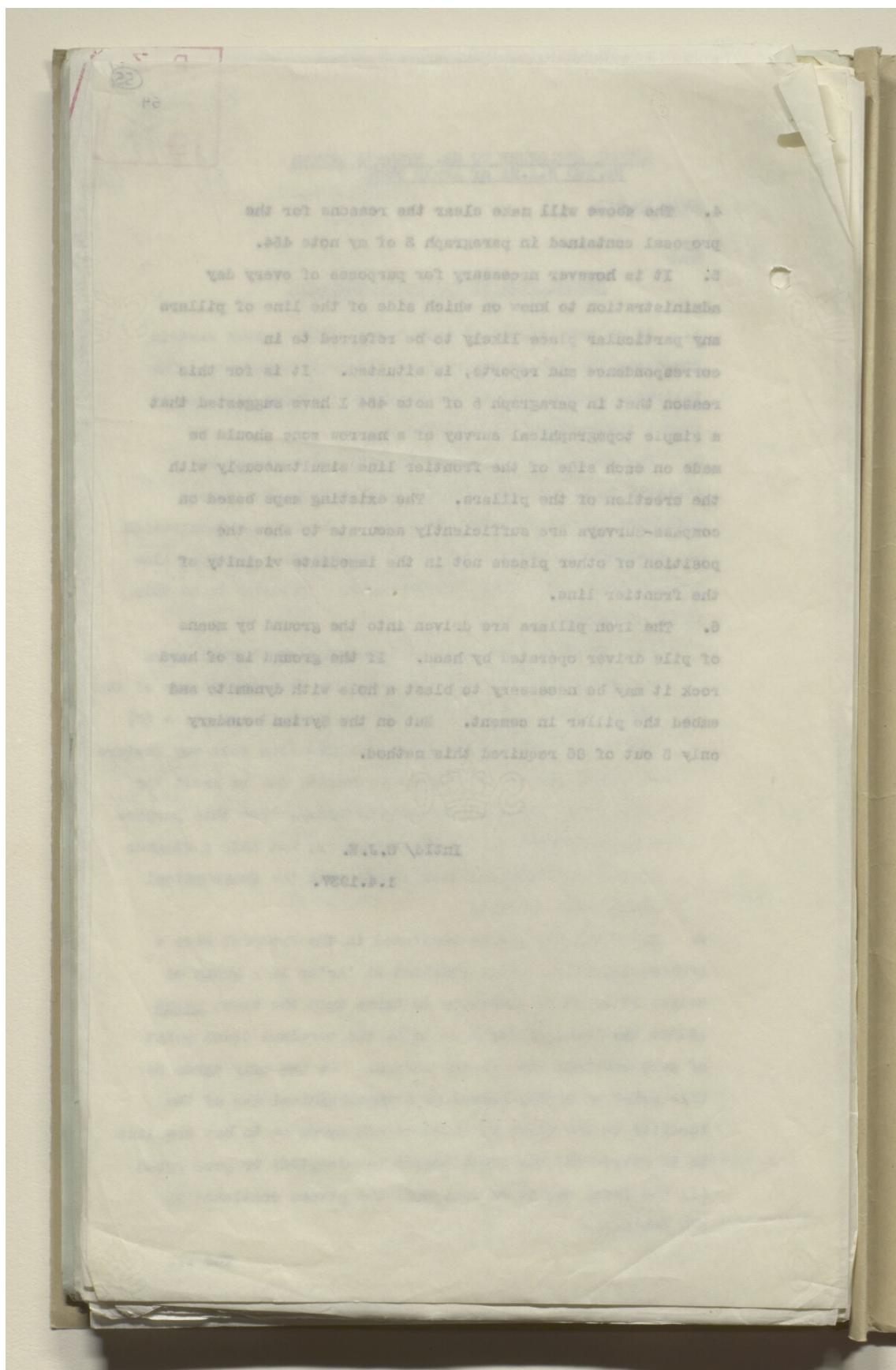
4. The above will make clear the reasons for the proposal contained in paragraph 3 of my note 454.
5. It is however necessary for purposes of every day administration to know on which side of the line of pillars any particular place likely to be referred to in correspondence and reports, is situated. It is for this reason that in paragraph 5 of note 454 I have suggested that a simple topographical survey of a narrow zone should be made on each side of the frontier line simultaneously with the erection of the pillars. The existing maps based on compass-Surveys are sufficiently accurate to show the position of other places not in the immediate vicinity of the frontier line.
6. The iron pillars are driven into the ground by means of pile driver operated by hand. If the ground is of hard rock it may be necessary to blast a hole with dynamite and embed the pillar in cement. But on the Syrian boundary only 5 out of 86 required this method.

Intld/ C.J.E.

1.4.1937.



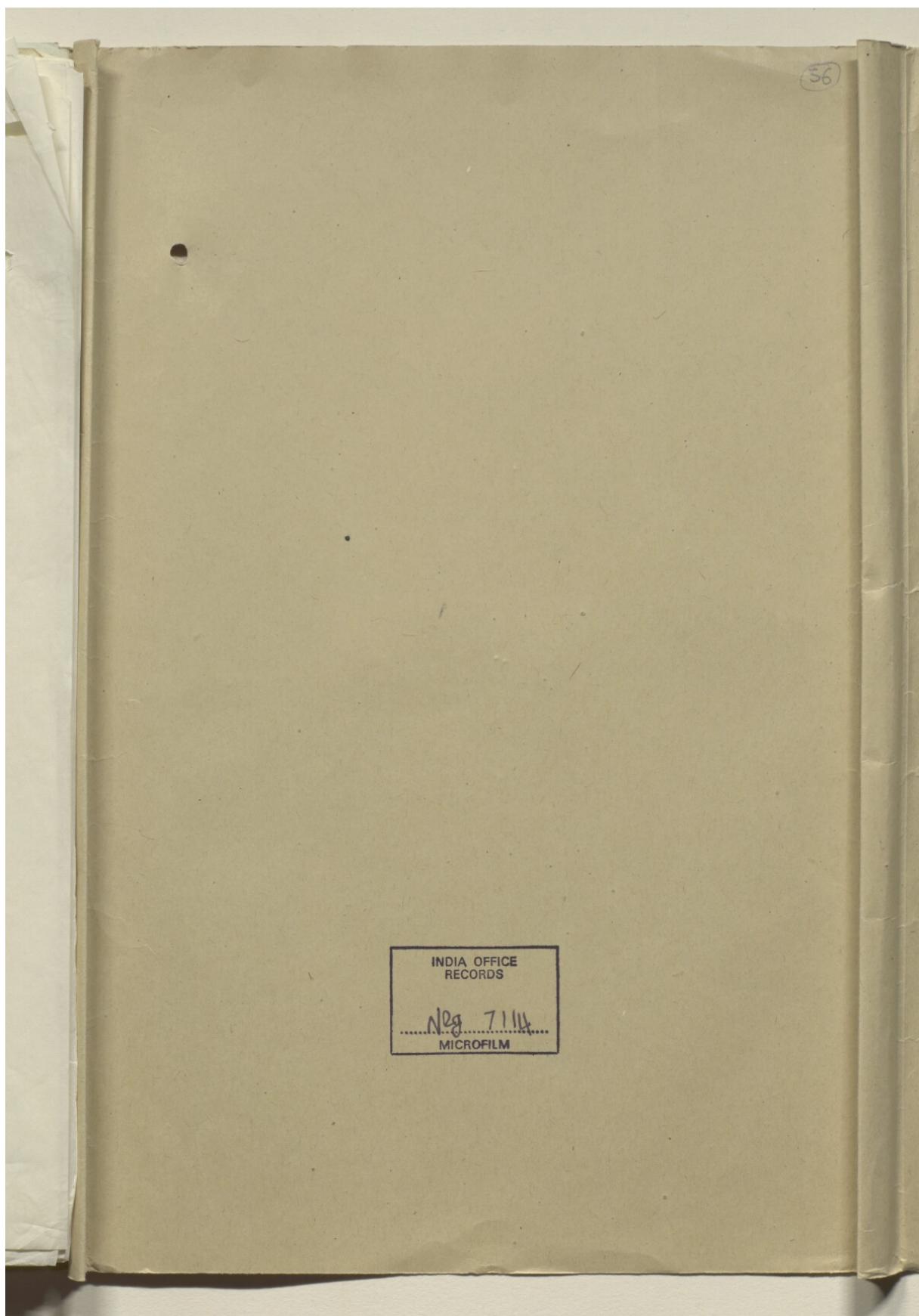
مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."  
[٥٥٥] (١١٢/١١٠)





مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية، ترسيم الحدود."

[خلفي-داخلي] (١١٢/١١١)





مجموعة ١٧ / ٣٥ "العراق، العلاقات العراقية السعودية. ترسيم الحدود."

[خلفي] (١١٢/١١٢)

